

1 UNITED STATES DISTRICT COURT

2 EASTERN DISTRICT OF VIRGINIA

3 RICHMOND DIVISION

4 \*\*\*\*\*  
5 DONNA K. SOUTTER, For Herself and On Behalf of All  
6 Similarly Situated Individuals,

7 Plaintiffs,

8 v.

Civil Action Number

3:10cv107

9 EQUIFAX INFORMATION SERVICES, LLC,

10 Defendant.

11 \*\*\*\*\*

12 DEPOSITION OF

13 KEN MITTENDORFF

14 October 6, 2010

15 10:00 a.m. - 11:44 a.m.

16 Richmond, Virginia

17  
18  
19  
20  
21  
22  
23  
24 JOB NO: 33526

25 REPORTED BY: GWENDA E. APPELEGATE, RPR, CRR

1 Deposition of KEN MITTENDORFF, taken and  
2 transcribed on behalf of the Defendant, by and  
3 before Gwenda E. Applegate, Court Reporter, Notary  
4 Public in and for the Commonwealth of Virginia at  
5 large, pursuant to Rule 30 of the Rules of Civil  
6 Procedure, and by Notice to Take Depositions;  
7 commencing at 10:00 a.m., October 6, 2010, at  
8 McGuire Woods, 901 East Cary Street, Richmond,  
9 Virginia.

10 APPEARANCES OF COUNSEL:

11 By: CONSUMER LITIGATION ASSOCIATES, P.C.  
12 12515 Warwick Boulevard, Suite 100  
13 Newport News, VA 23606  
14 LEONARD A. BENNETT, ESQ.,  
15 -- and --  
16 MATTHEW J. ERAUSQUIN, ESQ.,  
17 Counsel for the Plaintiffs

18 By: KING & SPALDING  
19 1180 Peachtree Street, N.E.  
20 Atlanta, GA 30309  
21 J. ANTHONY LOVE, ESQ.,  
22 Counsel for the Defendant

23 By: OFFICE OF THE ATTORNEY GENERAL  
24 900 East Main Street  
25 Richmond, VA 23219  
PAUL KUGELMAN, JR., ESQ.,  
Counsel for the Deponent

1 I N D E X

2 WITNESS:

3 KEN MITTENDORFF

4 Examination by Mr. Love.....4, 70

5 Examination by Mr. Bennett.....54

6 E X H I B I T S

7 NUMBER DESCRIPTION: MARKED:

8 Exhibit 1 ...Soutter documents.....17

9 Exhibit 2 ...Disposition Update.....21

10 Exhibit 3 ...User's Guide.....26

11 Exhibit 4 ...Internet screen shots.....32

12 Exhibit 5 ...Warrant in Debt.....51

13 \* \* \* \* \*

1 (October 6, 2010, 10:00 a.m.)

2 KEN MITTENDORFF

3 first duly sworn, testified as follows:

4 E X A M I N A T I O N

5 BY MR. LOVE:

6 Q Mr. Mittendorff, my name is Tony Love, and I  
7 represent Equifax, the defendant in the lawsuit which is  
8 pending in federal court in Richmond, Virginia.

9 You and I spoke on the phone one time before  
10 about this case; is that right?

11 A That's true.

12 Q We've never met before today; correct?

13 A That's true.

14 Q All right, sir. If you would, please just  
15 tell us your job title.

16 A I'm an assistant director of the Department of  
17 Information Systems, and that's at the Supreme Court of  
18 Virginia, Office of Executive Secretary.

19 Q Sure. And how long have you held that  
20 position?

21 A About ten years.

22 Q And what are your responsibilities in your  
23 current position?

24 A I do a big list. One of mine is to solve

1 problems. One is to assist people. I handle  
2 administrative office functions. I do grants. I work  
3 with other state agencies like the state police, DMV,  
4 and go to meetings and probably solve problems. That's  
5 the biggest part. If it gets to be a really tough  
6 problem, then I usually get it.

7 Q All right.

8 A And I do anything when the director is not  
9 there. I sign anything that he would normally sign and  
10 work on procurement and stuff like that.

11 Q Are you familiar with the records that are  
12 maintained by the clerks in the Richmond General  
13 District Court in Virginia, just generally familiar with  
14 those records?

15 A Yes.

16 Q And are you generally familiar with the  
17 records that are maintained by the general district  
18 courts of all the general district courts throughout the  
19 State of Virginia?

20 A Yes.

21 Q And are you also familiar generally with the  
22 records maintained by the circuit courts throughout the  
23 State of Virginia?

24 A Yes.

25 Q How did you gain familiarity with the types of

Page 6

1 records maintained by the clerks in the general district  
2 courts and the circuit courts throughout the State of  
3 Virginia?

4 A I've worked in automation at the supreme court  
5 for 35 years, and I was there when we started automating  
6 the courts. And that was back in early '80s was when we  
7 first did a study. And then the first systems we put in  
8 were about 1984, '85. And the first systems we put in  
9 were J&DR, general district, and then we moved on to  
10 circuit court. And we installed case management systems  
11 in all three layers of courts.

12 Q When you say case management systems, could  
13 you give a little more information about that? Is that  
14 a system that was set up at the court level so that the  
15 clerks of the various courts and the general district  
16 courts could use an automated system?

17 A That's correct.

18 Q And what types of things would a clerk of a  
19 general district court or, later, a circuit court -- let  
20 me back up.

21 '84 to '85, that was when the system was set  
22 up in the general district courts; is that correct?

23 A Right.

24 Q Okay. When was the computerized system set up  
25 in the circuit courts?

Page 8

1 management records with case management records.

2 Q Let's move -- is it fair to say that the  
3 computerized system developed and evolved over the years  
4 so that more data and more information could be  
5 included?

6 A Yes.

7 Q Let's talk about the last five years. Over  
8 the last five years, have the clerks of the general  
9 district courts throughout Virginia had a computerized  
10 system that they could use to enter information about  
11 court records?

12 A Yes.

13 Q And when I say court records, would that  
14 include information about judgments and the appeals,  
15 satisfactions or setting aside of those judgments?

16 A Yes.

17 Q And what types of information can the clerks  
18 of the general district courts throughout Virginia enter  
19 into their computer system over the last five years  
20 concerning judgments and the appeals, satisfactions or  
21 vacating of those judgments?

22 A The first thing they do is they enter the  
23 cases. They can put witnesses in the cases. They have  
24 an ability to set hearing dates. They have the ability  
25 to put in dispositions of those cases. And they can put

Page 7

1 A It would have been after that but not much  
2 more.

3 Q Okay.

4 A I mean, the systems were started in pilot  
5 courts and they expanded. And most everybody was on  
6 by -- because we had to do it slow, almost everybody was  
7 on by about 1995, around that time, except for three  
8 courts. And those are circuit courts.

9 Q Was there a particular reason those three  
10 circuit courts weren't on by '95 like the others?

11 A They had their own systems before we ever  
12 started.

13 Q Let's go back to the '84-'85 time period when  
14 the system was set up for the general district courts.  
15 What type of information could a clerk of a court or an  
16 employee of general district court enter into the  
17 computer system at that time?

18 A Primarily indexing and docketing. You could  
19 get, you could get a docket out and you entered  
20 information, and that's primarily what it would do in  
21 the early part. It got better over time. So what we  
22 have today is not the same as what's there. It does a  
23 lot of the same functions but it's not, it's not the  
24 same. Later we added a financial management system, so  
25 those two interface. So we interface financial

Page 9

1 in whether dismissed, settled, judgments. And later if  
2 we change something, it will allow them to put in  
3 whether there was a satisfaction and what the date was  
4 the court received the satisfaction. And they can also  
5 note appeals.

6 Q Is there a name for the system that the  
7 general district court clerks use to enter this  
8 information? What do you call the system that you use?

9 A The general name for it is CAIS, Computer  
10 Automated Information System, but that has multiple  
11 parts. The case management system would be general  
12 district court case management system, and it has the  
13 ability to enter criminal data, traffic data and civil  
14 data.

15 Q Is the general district court case management  
16 system the computer system that the clerks of the  
17 general district courts in Virginia would use to enter  
18 information about judgments and the dispositions or  
19 termination of those judgments?

20 A Yes.

21 Q Is the information that the general district  
22 court clerks throughout Virginia would enter into the  
23 general district court case management system available  
24 over the internet?

25 A Some of the information is available over the

3 (Pages 6 to 9)

Page 10

1 internet.

2 Q If you would, please just tell us how  
3 information from the general district court case  
4 management system came to be available over the  
5 internet.

6 A Okay. Years ago we purchased a used processor  
7 and disk drives, and we would copy the data each night  
8 from a production machine which is what the courts use  
9 to a second machine, and then we made that information  
10 available to the people on the internet. And it went  
11 through our web site. And that data is limited and  
12 that's not the official record of the court.

13 Q When did the internet access first become  
14 available or go on line?

15 A Probably around 2000, in that, in that era. I  
16 don't have the exact date, but it's been up about ten  
17 years.

18 Q And do you have a name for that system that  
19 delivers information from the general district court  
20 case management system through the internet?

21 A No. It's just, it's just the internet  
22 portion.

23 Q And is access to the internet portion made  
24 through the website of the Supreme Court of Virginia?

25 A That's correct.

Page 12

1 of circuit court clerks have opted in to use the web to  
2 make their information available?

3 A It would be an estimate. I don't have the  
4 exact number. There's probably only around 20 or 25  
5 that don't have it, but I'd have to check the number. I  
6 don't know that number off the top of my head. I could  
7 get it for you but I don't know it.

8 Q Now, you created or were primarily involved in  
9 creating the web-based court information for the Supreme  
10 Court of Virginia website; is that correct?

11 A No. I don't create the data. I work on  
12 procuring the, getting the personnel, getting the people  
13 to do the work, but I didn't create it by myself. I  
14 mean, it was an idea and I guess I fostered the idea by  
15 getting the other, the additional machine. But that's  
16 about what I did.

17 Q Okay. If you would, just describe what your  
18 role was in creating the web-based information through  
19 the Virginia website that went on line around 2000 and  
20 just all the steps that were required to get that up and  
21 running.

22 A Well, first we had to procure the money to get  
23 that. One of the things we wanted to do was make it so  
24 that it started a project with the law, with the bar  
25 because they wanted to be able to see court data and we

Page 11

1 Q Are there any other portals for that  
2 information other than the Supreme Court of Virginia  
3 website?

4 A No, other than vendors that have copies of  
5 that data.

6 Q Do the circuit courts in Virginia also have  
7 their own case management system where they can enter  
8 information about judgments and the dispositions of  
9 those judgments?

10 A Yes.

11 Q And is there a name for the circuit court  
12 system, or is it just called the circuit court case  
13 management system?

14 A Circuit court case management system.

15 Q And when information became available through  
16 the Virginia Supreme Court website around 2000, did that  
17 include information from the general district courts and  
18 also the circuit courts or just one of the two?

19 A At first the information was from the general  
20 district courts, and later we made the circuit court  
21 data available. But the clerks have to opt in to  
22 include their data. So not all circuit court data is on  
23 the internet. If a clerk doesn't want their data shown  
24 on the internet, then we don't put it up.

25 Q Do you have a rough idea for what percentage

Page 13

1 also wanted to make the public see court data so that  
2 people who had a case would be able to look that case  
3 up, know what their date was, as well as attorneys and  
4 the public, because people would not know what day  
5 they're supposed to appear. They would have lost their  
6 summons.

7 And then later we started a pilot project  
8 which would allow you to prepay a traffic ticket on the  
9 web. And so it was basically if you want to know  
10 something, general information about the court, you  
11 could go there and look it up. And you can only look  
12 the data up by court. You can't look it up by defendant  
13 across the state. You have to know which court the data  
14 is in. And so it was made -- that's how the data was  
15 made. It was made -- just the way we do it, it's not  
16 indexed across the state. It's indexed by individual  
17 courts. And we gradually added courts to it.

18 And then we changed something in it now that  
19 we can replicate the data. When we moved to DB2, which  
20 is a different database, we can put that data out the  
21 same day instead of overnight.

22 Q When did you move to DB2?

23 A It depends on which system, but it was about,  
24 for general district, it was about 2007.

25 Q And what is the difference between DB2 and the

Page 14

1 old system that you were using?

2 A Well, the old one was going to go out of  
3 support. That's called DL1. That's the old database.  
4 And the new one is DB2. And one of the big advantages  
5 of DB2 is you can have other indexes, but it's supported  
6 and DL1 is not going to be supported. It's the big  
7 thing, you have to move to it, but the other one isn't.

8 One of the advantages is, it allows you to  
9 replicate the data. So instead of having to take copies  
10 every night and put them, you can replicate the data and  
11 it can look at -- the second database can look at the  
12 first database and get the changes that were made so you  
13 didn't have to replicate -- you'd have to back up the  
14 data and restore it on the internet machine every day.

15 Q Let's -- I want to try to create a flow chart  
16 of information so that I understand how it moves through  
17 the system. So let's take a matter in the general  
18 district court. You're aware, sir, that in the general  
19 district court, oftentimes an action can be initiated by  
20 the filing of what's called a warrant in debt; is that  
21 correct?

22 A That's true.

23 Q Let's assume that a warrant is filed in the  
24 general district court which results in a judgment being  
25 entered. If you would, tell us how that information

Page 16

1 management system are available on the internet. So you  
2 can't look at somebody's address. Personal information  
3 is not on the internet.

4 Q And with DB2, the main difference was that  
5 instead of waiting until that night so that information  
6 could be loaded from the general district court case  
7 management system to the web system, it's automatic?

8 A Yeah.

9 Q What information -- you mentioned that no  
10 address or personal information would appear on the  
11 website. Is there any other information that would be  
12 available through the general district court case  
13 management system that would not be available through  
14 the court's website?

15 A Remarks. Most of the information is  
16 available. Remarks are not. That's about -- there may  
17 be some other fields that aren't there but I'd have to  
18 do a comparison. It's a, it's a general abstract of the  
19 case is what really is on the internet. If you know  
20 something about the case, you can go and look at it.  
21 And that's primarily what it is.

22 Not all the information about the case is on  
23 the internet. There's no personal information on there.  
24 And if you want the detailed information, then you have  
25 to look at the court papers.

Page 15

1 flows from the courtroom to the general district court  
2 case management system to the web system that you  
3 described that was launched in 2000.

4 A Okay. The warrant comes in, a case number is  
5 assigned to each warrant. The parties are entered. If  
6 there are attorneys, those are entered, the data entry  
7 is done. For every case that's entered, a hearing date  
8 has to be set. Once the hearing date is set, a  
9 courtroom's assigned. A judge is assigned. And it's  
10 set for a time.

11 In civil cases, there are continuances, quite  
12 a few continuances a lot of times, so the cases are  
13 continued from one day to another day, maybe to the  
14 second or third day. And on that day a hearing is held.  
15 And if the judge enters a judgment or dismisses the  
16 case, that's written on the papers, usually signed by  
17 the judge. There's a docket sheet that's there; they  
18 put it on a docket sheet. There's a clerk in the court  
19 who can record the information while they're in court at  
20 a terminal, or it can be done in the clerk's office by  
21 the papers later that day or the next day.

22 Once the data is in the machine in the first  
23 computer, then that night, until we had DB2, the data  
24 would be copied to the internet machine so it's  
25 available. Not all the fields that are in the case

Page 17

1 Q And no one from the Supreme Court of Virginia  
2 actually goes and looks at the actual court papers that  
3 are filed in the various general district courts or the  
4 circuit courts for use in preparing the information  
5 that's available on the website; is that right?

6 A No one in our office enters data for them.  
7 They enter their own data on that system.

8 Q Right. And would you agree that if one of the  
9 clerks or other personnel that are entering this  
10 information at the general district court level or the  
11 circuit court level make an error in what they enter  
12 into their computer system, then that error will also be  
13 reflected in the information that's available on the  
14 supreme court website?

15 A That would be correct.

16 Q Now, have -- let me show you what we will mark  
17 as Exhibit 1 to your deposition.

18  
19 (Mittendorff Deposition Exhibit Number 1  
20 was marked for identification)

21  
22 MR. LOVE: And at this point we will go ahead  
23 and designate this deposition as subject to the  
24 protective order in this case since we're dealing  
25 with some personal information of a consumer.

5 (Pages 14 to 17)

Page 18

1 BY MR. LOVE:

2 Q Have you ever seen this document before?

3 A No.

4 Q Do you recognize this generally as a warrant  
5 in debt that would be filed in a general district court  
6 in Virginia?

7 A Yes.

8 Q Have you ever reviewed any records of Donna  
9 Soutter, the plaintiff in this case, prior to today?

10 A On the web, yes; the actual documents, no.

11 Q All right, sir. Have you ever seen a copy of  
12 Ms. Soutter's credit file?

13 A No.

14 Q You've never spoken to Ms. Soutter, have you?

15 A No.

16 Q In looking at this document that's been marked  
17 as Exhibit 1, can you help us understand from your  
18 knowledge in working with public records in Virginia the  
19 type of information that appears here and what's  
20 reflected?

21 First of all, I think you said this is a  
22 warrant in debt, this is how a lawsuit would be started  
23 in a general district court in Virginia; is that  
24 correct?

25 A Yes.

Page 20

1 A Yes.

2 Q And it also appears that the Court awarded  
3 \$48 in costs against Ms. Soutter; is that correct?

4 A That's correct.

5 Q And then down below we see some handwritten  
6 notes, and one of them says "3/20/08, see order J  
7 vacated, case dismissed without prejudice." Do you see  
8 that part?

9 A Yes.

10 Q Does that mean that on 3/20/2008 the Court  
11 entered the notation that the judgment had been vacated  
12 and case dismissed without prejudice?

13 A I wouldn't know. I mean, what I'm reading is  
14 that, but I don't know who put it there.

15 Q Certainly. That's how you would generally  
16 understand that a court could make that type of note in  
17 a record like that; is that fair to say?

18 A Yes.

19 Q Okay. So this is the type of record that  
20 would be generated, going back to our flow chart  
21 discussion, this is where the trail would begin, so to  
22 speak? When a document or a record like this is entered  
23 in the record of a general district court or a circuit  
24 court in Virginia, something like this would have to  
25 happen before any information was entered about a case

Page 19

1 Q And the way it would be started is the person,  
2 the plaintiff in a case, would type in the information  
3 here or write in the information concerning the claim  
4 that they were making against a defendant; is that  
5 right?

6 A That's correct.

7 Q And you mentioned earlier that in general  
8 district courts, there are often several hearing dates  
9 that are set. And over on the right-hand side of the  
10 first page, it says hearing date and time, and it has a  
11 number of dates; right?

12 A That's correct.

13 Q Is that the section of a warrant in debt where  
14 a court would write in all the different hearing dates  
15 that apply to a particular case?

16 A That's correct.

17 Q And then under case disposition in the bottom  
18 left-hand side, is that the area where a court would  
19 write the final disposition of a case?

20 A Yes.

21 Q And for this particular judgment -- or, excuse  
22 me. For this particular warrant in debt, under the case  
23 disposition section, does it indicate that a judgment  
24 was entered against Ms. Soutter for \$14,403.79 with an  
25 interest rate at 9.99 percent from February 22 of 2007?

Page 21

1 into the general district court case management system;  
2 is that right?

3 A That's correct.

4 Q And from here, let's go to the next step. The  
5 next step would be the clerk of the general district  
6 court or a circuit court would enter information about  
7 the events that are shown in these documents, like  
8 what's been marked as Exhibit 1, into the general  
9 district court case management system; is that right?

10 A That's correct.

11 Q Or if we were in circuit court, then a circuit  
12 court clerk would enter information about its case into  
13 the circuit court case management system; right?

14 A That's correct.

15 Q Let me show you what we'll mark as Exhibit 2.

16  
17 (Mittendorff Deposition Exhibit Number 2  
18 was marked for identification)  
19

20 BY MR. LOVE:

21 Q Can you identify what's been marked as Exhibit  
22 2?

23 A It's a screen print of the case management  
24 system.

25 Q And is this a screen print for Donna Soutter's

6 (Pages 18 to 21)

Page 22

1 lawsuit in the Richmond General District Court?

2 A Yes.

3 Q And are you familiar with this type of screen  
4 shot and the information contained in this type of  
5 screen shot?

6 A Yes.

7 Q If you would, just walk us through this  
8 document and tell us what it reflects about Donna  
9 Soutter's case.

10 A Okay. If you look at the original one, you  
11 could tell there was a judgment, and that hearing date  
12 occurred on 1/29. And that's, that's the number 05  
13 hearing here. So on that day there was a judgment  
14 entered. On 03/20/08 they had a re-hearing of some  
15 kind, and this was amended to be that the case was  
16 dismissed.

17 Q And the person who entered this information  
18 that's reflected on this exhibit would have been an  
19 employee of the Richmond General District Court; is that  
20 correct?

21 A Civil court, yes.

22 Q The civil division of the Richmond General  
23 District Court. And going back to our flow chart, this  
24 document reflects the second step in the process, the  
25 first step being the events that happened in the court

Page 23

1 and a judgment or some other action occurs, the second  
2 step being that an employee of the Richmond General  
3 District Court civil division enters information about  
4 those events into its case management system; correct?

5 A Right. You're just missing one. This is  
6 after the re-hearing, but you're missing what it looked  
7 like before the final, before the March 20th. This is a  
8 screen shot of March 20th, and you don't have the one  
9 from January 29th, '08; okay? But it would not have  
10 shown that last hearing. But other than that, you're  
11 correct.

12 Q Okay. In other words, what you're saying is  
13 there could be, there's usually -- there could be a  
14 screen shot that reflects the events that occurred at  
15 each separate hearing?

16 A That's correct.

17 Q Okay. But this screen shot that's been marked  
18 as Exhibit 2 reflects what happened at the last hearing  
19 in this case?

20 A That's correct.

21 Q And what happened at the last hearing is the  
22 hearing was held and then an employee of the general  
23 district court entered information about that last  
24 hearing, and what they entered was that the case had  
25 been dismissed; is that correct?

Page 24

1 A That's correct.

2 Q And if you look in the upper right-hand corner  
3 of this document, you'll see in bold the letter "I." Do  
4 you see that?

5 A Uh-huh.

6 Q What does that letter "I" indicate?

7 A Actually, it's where the case disposition is,  
8 but the "I" means that means the case has been  
9 dismissed.

10 MR. KUGELMAN: I think he's talking about the  
11 upper right here. Is this correct, Tony  
12 (indicating)?

13 BY MR. LOVE:

14 Q Yes, sir.

15 A Okay. That's dismissed for Donna Soutter.  
16 That's the judgment for her.

17 Q All right. And the "I" that you were looking  
18 at when you spoke earlier is actually right in the  
19 middle on the top where it says II; is that right?

20 A Right, plus the other one that's down in the  
21 lower left where it says case disposition. That's the  
22 one I look at first.

23 Q Okay. And those three Is that are reflected  
24 on Exhibit 2, that's all information or codes that would  
25 have been entered by an employee of the Richmond General

Page 25

1 District Court after this final hearing?

2 A That's correct.

3 Q And the "I" -- these employees of the general  
4 district courts use codes to indicate certain events  
5 that occurred; right?

6 A That's correct.

7 Q And they use codes so they don't have to type  
8 out the longer verbiage of what happened; right?

9 A That's correct.

10 Q And an "I" code means dismissed; is that  
11 right?

12 A That's correct.

13 Q Now, there are other codes that could have  
14 been entered following this disposition of this case in  
15 March of 2008; is that right?

16 A You mean that were entered after this?

17 Q Well, let me rephrase the question. When an  
18 employee of the Richmond General District Court or any  
19 district court throughout Virginia goes to enter this  
20 information after a hearing about this case or any other  
21 case, there are a number of codes available to them that  
22 they can use to describe the events that occurred in the  
23 hearing; is that fair to say?

24 A That's correct.

25 Q Okay. "I" is one of the codes, and "I" means

7 (Pages 22 to 25)

Page 26

1 dismissed?

2 A Correct.

3 Q One of the other codes that an employee could  
4 use is a code for appealed; is that right?

5 A That's noted. It's not -- I don't believe  
6 there's a code for appeal. It would be noted in the  
7 bottom, down on the bottom where it says -- there's a  
8 place on the -- the appeal noted is located on the  
9 bottom of it, of the form. Like it says bankruptcy,  
10 appeal noted, appeal perfected.

11 Q Okay. You're talking about the section that  
12 says "APPL noted"?

13 A Right.

14 Q And "APPL perfected"; correct?

15 A Right.

16 Q And we'll come back to discussing appeals in a  
17 little while. But in the meantime, let's take a look at  
18 what's been marked as Exhibit 3.

19  
20 (Mittendorff Deposition Exhibit Number 3  
21 was marked for identification)  
22

23 BY MR. LOVE:

24 Q Can you identify that document, sir?

25 A It's a training tool that's used for courts so

Page 28

1 are reflected on Exhibit 3 down in the box that we just  
2 looked at, where it says "I-dismissed"; is that right?

3 A That's correct.

4 Q And when the employees of the general district  
5 court enter the information that's shown on Exhibit 2,  
6 they had available to them the option to enter code A,  
7 vacated; is that right?

8 A That's correct.

9 Q But they didn't choose A, vacated; instead,  
10 they chose I, dismissed; is that correct?

11 A That's correct.

12 Q Now, does someone from your office conduct the  
13 training for the clerks of the general district courts  
14 and the clerks of the circuit courts on how to code this  
15 type of information into their case management systems?

16 A Yes.

17 Q Who does that actual training?

18 A Judicial Services Department.

19 Q Is there a particular individual that does  
20 that?

21 A There are a lot of individuals that do that.

22 Q Okay. They just travel throughout the state  
23 and conduct this training?

24 A A lot of the training is done in our office.

25 Q Okay. So the clerks actually have to come to

Page 27

1 they know what case -- what to enter on a case  
2 management entry screen.

3 Q All right, sir. And if you take a look at  
4 page A5 of that document, it's in the upper right-hand  
5 corner.

6 A Okay.

7 Q Is page A5 a page from this training document  
8 that's provided to the employees of the general district  
9 courts that shows them how to code civil hearing  
10 disposition information?

11 A That's correct.

12 Q And if you look in the bottom left-hand corner  
13 of this page, there's a box. And it has the letters and  
14 the words A-vacated, P-plaintiff, D-defendant,  
15 I-dismissed, N-nonsuit, U-not found/unserved, and  
16 O-other. Do you see that box?

17 A Uh-huh.

18 Q Are those the codes that employees of the  
19 general district courts can use when they enter  
20 information into the case management system to show the  
21 dispositions of cases in their courts?

22 A That's correct.

23 Q And if we go back to Exhibit 2 and look at the  
24 three "I" codes that appear on the first page of that  
25 document, those "I" codes are the same "I" codes that

Page 29

1 you?

2 A Right.

3 Q How long has this document been out that's  
4 marked as Exhibit 3?

5 A It would be out for years. I mean, I don't  
6 know the exact date. It's basically a screen shot of  
7 the -- and it's been probably in use for at least ten  
8 years or something. I don't know the exact date when it  
9 was done. This is 7/10, so it was revised in July of  
10 this year. So they may have added a code or something,  
11 but, so I can't tell you exactly. But it's a training  
12 tool is what it is.

13 Q Based upon your review of Exhibit 2 and your  
14 knowledge of the court systems, Donna Soutter's judgment  
15 was never marked as vacated, it was marked as dismissed;  
16 is that correct?

17 MR. BENNETT: Objection, leading question,  
18 also assumes facts not in evidence. The witness  
19 has already said that the only screen print you're  
20 showing is the ultimate one, not necessarily the  
21 one when it was noted vacated before, thereafter  
22 the dismissal with prejudice was entered.

23 MR. KUGELMAN: You may answer the question.  
24 It's all right.

25 THE WITNESS: What's shown here on this screen

8 (Pages 26 to 29)



Page 30

1 print is dismissed. Was there something else in  
2 between? I can't -- I don't know. I don't have  
3 that. Was there something after this date? I  
4 don't know.

5 One thing about case management that everybody  
6 needs to understand is when you take a picture of  
7 something, it's the picture that this was on that  
8 particular day. It can be changed. So I don't  
9 even have the date this screen shot was made. But  
10 if you knew the date that screen shot, that's the  
11 way it appeared on that day. Ten days later, two  
12 days later, somebody makes a change on it, you get  
13 a different -- there will be something out there  
14 that's different.

15 And I can't -- usually they're not going to  
16 make a change unless something occurs. That's not  
17 usually done unless there is a mistake, okay?

18 So...

19 BY MR. LOVE:

20 Q How did you get this -- is this a screen shot  
21 that you obtained?

22 A No. You just gave it to me.

23 Q Okay. Well, did it initially come from --  
24 have you, have you ever requested or obtained any screen  
25 shots from the Richmond General District Court

Page 32

1 this. So as of that date, this matches with your  
2 Exhibit 1.

3 Q And if you go back to Exhibit 1 and go to the  
4 next-to-last page, does this appear to be an order that  
5 was entered in Ms. Soutter's lawsuit?

6 A Yes.

7 Q And if you look at the next-to-last sentence,  
8 it says "ordered that the judgment entered against Donna  
9 K. Soutter in the captioned matter be, and is hereby,  
10 set aside and dismissed without prejudice." Do you see  
11 that part?

12 A Yes.

13 MR. LOVE: All right. Could we go off the  
14 record just for a moment?

15  
16 (Discussion off the record, Mittendorff Deposition  
17 Exhibit Number 4 was marked for identification)

18  
19 BY MR. LOVE:

20 Q All right, sir. Can you identify what's been  
21 marked as Exhibit 4?

22 A Okay. This is copies of screen shots of what  
23 is on the internet machine for -- and it shows first,  
24 the first page is the index to cases in the Richmond  
25 General District Court civil case, and it shows two

Page 31

1 concerning Donna Soutter's case?

2 A Yes.

3 Q Is this one of those screen shots?

4 A Yes.

5 Q Okay.

6 A Not -- I'd like to say, I can't tell you if  
7 it's the one I have, but it is one that I recognize,  
8 appears to be exactly the same as the one I have.

9 Q Okay. And would it be possible to go back and  
10 get screen shots from all these different hearing dates?

11 A No.

12 Q You can only get a screen shot for the most  
13 recent activity?

14 A That's correct. Unless you got one earlier,  
15 you can't, you can't replace that. It's like you took a  
16 picture and now you have it. Something changes and now  
17 you've got another picture. But you can't recreate the  
18 screen shot for 2008 or 2007. You can't do that. The  
19 system has been changed.

20 Q Okay. But what we can say based on Exhibit 2  
21 is that as of March 20, 2008, this was being reported as  
22 a dismissed lawsuit; is that correct?

23 A Right. And it should be -- yeah. It  
24 matches -- there is a date on the, on Exhibit 1 that  
25 says this is March 20th, '08, and that matches with

Page 33

1 cases for Ms. Soutter. And those cases are the one you  
2 have as Exhibit 1, and a second case that's 02, or it's  
3 actually a suffix case. And the second page is a screen  
4 shot of the actual case, the A2-00, shows the file date.  
5 And it shows the last date is March 20th, 2008,  
6 reopened, re-hearing and has a judgment of case  
7 dismissed. So it matches what's on the warrant in debt  
8 which was Exhibit 1.

9 Q All right. And is Exhibit 4, does it appear  
10 to be a copy of the screen shot for Ms. Soutter's case  
11 from September of this year?

12 A It would be September of 2000 -- the case was  
13 September, started in September 2007, correct. It  
14 wasn't this year. And the screen print was made this  
15 year. Okay.

16 Q And so that is, that represents the  
17 information for Ms. Soutter's case, the one that we're  
18 talking about in this lawsuit, as it appeared on the  
19 supreme court website in September 2010?

20 A Yes.

21 Q And in September of 2010 it was still being  
22 reported as dismissed; is that correct?

23 A That's correct.

24 Q And it wasn't being reported as vacated;  
25 correct?

9 (Pages 30 to 33)

Page 34

1 A That's correct.

2 Q In the coding of the documents for public  
3 records in the general district courts of Virginia and  
4 the circuit courts of Virginia, going back to the codes  
5 that are used, do the clerks make a distinction between  
6 vacated and set aside or is that generally treated as  
7 the same thing?

8 A I can't answer that question. I mean, if the  
9 order -- if the way the order is written or the way the  
10 judge says it, the clerk records it that way. The  
11 clerks aren't allowed to change it. So if somebody says  
12 it's dismissed, then it's dismissed. They wouldn't put  
13 vacated unless the judge said vacated, normally.

14 Now, I can't speak to how they do it in one  
15 court versus another court. The codes are there. And  
16 I'm not there when they do it so I can't tell you how  
17 they do it. I don't know if that helps you any but, I  
18 mean, everything says dismissed here and they put  
19 dismissed, and the order said dismissed.

20 Q Based on your knowledge of court records in  
21 Virginia, is there a difference in Virginia between a  
22 vacated judgment and one that's set aside?

23 A I can't answer that.

24 Q Okay. There's not a separate code here on  
25 Exhibit 3, on page A5 of Exhibit 3 for a set-aside

Page 36

1 about public record vendors in Virginia. Now, are you  
2 aware that -- do you know what a public record vendor  
3 is?

4 A Basically.

5 Q Okay. What is your basic understanding of  
6 what a public record vendor is?

7 A Some vendors gather data from courts and they  
8 report it. Some try to put it on their own websites.  
9 Some are good at it and some are not so good at it. But  
10 anyway, that's what people do. Some people, what we  
11 call them I guess in the courts are some people are list  
12 makers. They go to court and they get lists, and that's  
13 what they do. Other people -- we used to report data.  
14 But the data on their website is one way for somebody to  
15 get information. And if they want more information,  
16 they'd have to go to the court to look that up. But  
17 that's what the data is used for.

18 Q All right, sir.

19 MR. LOVE: And just for the record, I move to  
20 strike the portions that are nonresponsive.

21 MR. BENNETT: I'm sorry?

22 MR. LOVE: Move to strike the portions that  
23 are nonresponsive. The --

24 MR. BENNETT: Which, of course, you can say.  
25 He says I move to strike the portions that are not

Page 35

1 judgment, is there?

2 A Let me get the right one (perusing document).  
3 No. There's vacated and dismissed, but set aside is not  
4 shown.

5 Q All right, sir. Now, that document that we  
6 just looked at, Exhibit 4, going back to our discussion  
7 earlier of the flow of this information and building a  
8 flow chart of this information, that represents the  
9 final step in our flow chart; right?

10 It goes from the actual documents in the court  
11 that would be in the court file which are represented in  
12 Exhibit 1, which is the warrant in debt and the order  
13 and those types of documents. That's step one. Step  
14 two is when the clerk of the court enters it into the  
15 general district court or circuit court case management  
16 system, and that can be reflected in documents like  
17 Exhibit 2, which is the screen shot?

18 A Uh-huh.

19 Q And then finally, it shows up here on the  
20 Virginia Supreme Court website with select information  
21 about a case that's available to the public through the  
22 court's website. Is that the final step in our flow  
23 chart?

24 A That's correct.

25 Q I want to ask you some questions now, sir,

Page 37

1 responsive, but the typed transcript --

2 BY MR. LOVE:

3 Q Are you aware of a public records vendor  
4 called LexisNexis?

5 A Yes.

6 Q What is your knowledge of LexisNexis?

7 A They are a big company. They do -- well, they  
8 do keep records. Okay. They received records from us  
9 and they know how to use the web. And that's about what  
10 I could tell you about them. Anything else would be --  
11 okay.

12 Q All right. Did the State of Virginia through  
13 your office at some point provide information about  
14 public records, including judgments and dispositions of  
15 judgments, to LexisNexis?

16 A That's true.

17 Q And could you just explain how that worked,  
18 when it started and what the process was, how the  
19 information was transmitted?

20 A Okay. We have a -- we had. We no longer have  
21 that. But we could provide you dispositional  
22 information for civil cases. And I'll just speak to  
23 civil since this is what that's about. And we would  
24 send, based on somebody's request, we would send monthly  
25 dispositions. And the data we would send is equivalent

Page 38

1 to an abstract of judgment. And let me explain what  
2 that's -- why we did that.

3 Abstracts of judgments are placed on the  
4 court's calendar for list makers, it used to be placed  
5 on there for list makers to gather that information.  
6 And at one time, sometime long ago, people asked if we  
7 could automate that portion so that list makers wouldn't  
8 have to just copy the data that's on the abstract of  
9 judgments. So that's what we did.

10 Abstracts of judgments are based on a judgment  
11 or an other judgment. So the only dispositions that  
12 appear on abstracts of judgments are cases in which the  
13 defendant, there was a judgment entered against the  
14 defendant or an other judgment was made. And so those  
15 would be reported on those, on those cases.

16 And so to get it -- to make the data better,  
17 because if a court was -- didn't complete something by  
18 the end of the month, we started sending two months. So  
19 you would get two months each month, try to make sure  
20 that -- and you could request updates, which means you  
21 could request a whole year's worth of data to refresh  
22 your database. Because if changes were made on the  
23 record, you wouldn't have those unless you went on line  
24 and looked at those records.

25 Q When did the State of Virginia through your

Page 40

1 Q All right, sir. And you mentioned earlier  
2 that some of the circuit courts have elected not to  
3 participate in the web information that's now available.  
4 Did some circuit courts also opt out of participating in  
5 providing information that could be included in  
6 providing those computer cartridges?

7 A No.

8 Q So that included all circuit courts?

9 A That's correct.

10 Q Did the computer --

11 A Only the ones on case management, less the  
12 three circuit courts that are not on the system.

13 Q Yes, sir. So the information that was  
14 included on those cartridges came from the case  
15 management systems of the general district courts and  
16 the circuit courts in Virginia?

17 A That's correct.

18 Q Now, how would your office extract the  
19 information from the case management systems of the  
20 general district courts and the circuit courts to  
21 include on this information that was on these computer  
22 cartridges?

23 A We do it by hearing date. So if you're going  
24 to run for, say, January 2009, you're going to run all  
25 the hearing dispositions that occurred in which a

Page 39

1 office start providing this information to public  
2 records vendors in this manner approximately?

3 A Probably in around 2000 or so, maybe a little  
4 earlier than that. I don't know the exact date when we  
5 started doing it.

6 Q And when did you stop providing it in this  
7 manner?

8 A The last records we sent were March of 2009.

9 Q How was the information transmitted to public  
10 records vendors?

11 A By cartridges.

12 Q Cartridges?

13 A Computer cartridges.

14 Q Were those sent by overnight mail or --

15 A UPS.

16 Q Did the cartridges contain information about  
17 new judgments that were entered in the district courts?

18 A Yes.

19 Q Did the cartridges contain information from  
20 both the general district courts and the circuit courts  
21 or just the general district courts?

22 A You could get whichever one you wanted. If  
23 you wanted circuit court, you could get circuit court.  
24 If you just wanted general district, you could get  
25 general district.

Page 41

1 judgment was ordered in that period of time. And we're  
2 only talking civil now. So if judgments were entered in  
3 January for hearings, then we would report those. And  
4 it's similar to the screen shots that you have here.

5 Q Did the information that was included on the  
6 computer cartridges also include new satisfactions of  
7 judgments?

8 A Yes, if the judgments had been satisfied when  
9 the tapes were made. So if you satisfied the judgment  
10 within a month, then yes. To get it later, you would  
11 have had to ask for the tapes that covered the hearings  
12 that were done. In other words, the way it was made was  
13 the same thing you'd see on an abstract of judgment. So  
14 if you got a picture in January of it, it might not be  
15 satisfied. But in -- when we ran two months in  
16 February, if it had been satisfied, you would see it.  
17 If you re-ran it you would see it, or if you went on the  
18 web you would see it.

19 But to get the satisfied, you would have to,  
20 you would have to either get new data or go look at it  
21 on the web.

22 Q Did the information that was provided on the  
23 computer cartridges contain information about appeals?

24 A No.

25 Q Did the information on the computer cartridges

11 (Pages 38 to 41)

Page 42

1 contain information about judgments that had been  
2 vacated or set aside?

3 A No.

4 Q I'd like to go back for a minute to Exhibit 3,  
5 please. And if you would, look at page A5. Down in the  
6 bottom left, we talked about the box that contains the  
7 various codes that the court clerks could use to enter  
8 information about cases, and none of those codes says  
9 satisfied, does it?

10 A No.

11 Q How would a court clerk enter information into  
12 the case management system to show that a judgment had  
13 been satisfied?

14 A There is another -- you'd have to look at one  
15 of the other exhibits. It's not shown on this page. If  
16 you look at Exhibit 2 -- oh, yeah. There, it is. I'm  
17 sorry. It is on the bottom of this page.

18 If you look on page A5 at the bottom, there is  
19 a place to put judgment satisfied.

20 Q Yes. It says "JGMT SAT"?

21 A Right. And there is a place there to put a  
22 checkmark or an "x." And there is also another space.  
23 And that's where, if the judgment was satisfied, the  
24 Court could note it and put the satisfied amount in, put  
25 that it had been satisfied. That's where they would put

Page 44

1 the judgment debtor is making payments to pay off the  
2 judgment unless somebody tells the court about that.

3 A Right. There's no way to see if he's making  
4 his hundred-dollar-a-month payment. You don't --  
5 there's nothing between the disposition until the  
6 judgment's satisfied. The court's not keeping records  
7 of how many payments have been made, if payments have  
8 been missed until a plaintiff comes back in, in which  
9 case they could issue a garnishment or something, other  
10 action.

11 Q And for that reason it's possible that a  
12 judgment debtor could have already satisfied a judgment  
13 by paying everything off over a period of several  
14 months, yet it still shows as an open judgment on the  
15 court's records until someone notifies the court of that  
16 satisfaction?

17 A That's correct.

18 Q Now let's talk for a minute about appeals,  
19 because in the box on the left on page A5, there is no  
20 code for appeal; correct?

21 A That's correct.

22 Q So how --

23 A It's on the bottom line. You can note the  
24 appeal and then you can have the appeal's been  
25 perfected.

Page 43

1 the date.

2 Q Okay. So there's not a code that a court  
3 clerk would use to indicate that a judgment had been  
4 satisfied, there is a different process for that?

5 A Right. They -- because it's usually done at a  
6 different time, they would go back and update the  
7 record. It wouldn't be a hearing. They would just go  
8 in and mark judgment satisfied and put the date they  
9 received the document that the judgment had been  
10 satisfied.

11 Q Okay. And that would have to be done by the  
12 clerk for each case in which a judgment had been  
13 satisfied; correct?

14 A Yes.

15 Q And also --

16 A Let me just clarify one thing. They can only  
17 do it if they received a document from the plaintiff  
18 that the judgment has been satisfied. If they have not  
19 received it, then it still wouldn't show that the  
20 judgment's been satisfied.

21 Q And the reason for that is the only way that a  
22 court will know if a judgment has been satisfied or not  
23 is if somebody advises the court of that fact?

24 A That's correct.

25 Q Okay. Because the court doesn't know whether

Page 45

1 Q Now, explain to me, sir, the difference  
2 between an appeal noted and an appeal perfected.

3 A One would be if somebody wants to appeal, and  
4 the other one is they set the bond up to have the case  
5 heard in circuit court.

6 Q Okay. So are there different date  
7 requirements for that? For example, is one done within  
8 10 days and one done within 30 days?

9 A Usually it's ten days.

10 Q So they can file for the appeal noted within  
11 ten days; is that generally correct?

12 A Yes. I know that's true on criminal. I'm not  
13 sure on civil but I believe it's the same. But I  
14 couldn't say that.

15 Q And so what information would the clerk enter  
16 if an appeal is noted? Would that be a date or a check  
17 or an "x" or something else?

18 A I'd have to look at the screen shot. They'd  
19 enter the date.

20 Q And appeal perfected, same thing, the clerk  
21 would enter the date?

22 A They'd enter the date.

23 Q So is it accurate to say that the manner in  
24 which the clerks record information about these three  
25 different types of dispositions, vacated, satisfied,

12 (Pages 42 to 45)

Page 46

1 appealed, are done in different ways?

2 A Yes.

3 Q There is a code for vacated but there is not a  
4 code for satisfied or appeal; right?

5 A That's correct.

6 Q And for satisfied, that information and what  
7 they enter into the system for that depends on  
8 information that comes from outside the court's records?

9 A That's correct.

10 Q And for appeal, there are two different time  
11 periods that could be relevant for appeals, both appeal  
12 noted and appeal perfected?

13 A That's correct.

14 Q Let's go back to the discussion of the  
15 information that was provided to public record vendors  
16 on these computer cartridges that you were talking  
17 about.

18 Was the information on those computer  
19 cartridges the same information that was in the -- for  
20 the types of -- well, strike that.

21 You said earlier that the information on the  
22 computer cartridges came from the case management  
23 systems in the general district courts and the circuit  
24 courts; right?

25 A That's correct.

Page 48

1 Q Who was involved in preparing that  
2 information, if you know?

3 A Eddie Macon talked to the attorneys, Dave  
4 Savage and Mamiko Barnard.

5 Q Did you ever see a copy of the final list of  
6 information that was produced?

7 A No.

8 Q Do you know whether Donna Soutter appeared on  
9 a list of information that was produced?

10 A I do.

11 Q Did she appear?

12 A No.

13 Q And why didn't she appear on that list?

14 A Because the request for information only asked  
15 for certain types of cases, and the case that was  
16 brought, the subsequent action that was brought, which  
17 is the 01, was closed out with an other judgment which  
18 was not vacated, and it wasn't satisfied, it wasn't  
19 dismissed and it wasn't appealed. And that's the reason  
20 it wasn't on there.

21 Q What does that mean, that it was closed out  
22 with an other judgment?

23 A Well, okay. That was -- the 01 case which is  
24 shown on Exhibit 2, I believe, okay, it shows the case  
25 dismissed as other. So what occurred in the court is

Page 47

1 Q So if the clerks of the courts made a mistake  
2 in how they entered information into the case management  
3 system, then the information about that particular case  
4 on the computer cartridge would also be erroneous; is  
5 that correct?

6 A That's correct.

7 MR. BENNETT: We would so stipulate.

8 BY MR. LOVE:

9 Q Ms. Soutter's attorneys in this case requested  
10 the state to provide certain information as part of this  
11 lawsuit. Are you familiar with that?

12 A Yes.

13 Q Okay. What is your knowledge of the  
14 information that was requested by Ms. Soutter's counsel  
15 in this case?

16 A I believe the cases they asked for were  
17 vacated cases, cases dismissed, satisfied and appealed.  
18 I'm not sure if they asked for dismissals. Somebody  
19 would have to help you with that. But I think there  
20 were only three and it was vacated, satisfied and  
21 appealed, and maybe dismissal. I'm sorry. I don't know  
22 that part.

23 Q And were you involved in preparing that  
24 information?

25 A No.

Page 49

1 someone asked for a motion to vacate or dismiss the  
2 original case, which was a judgment against Donna  
3 Soutter. And the judge basically agreed with them. And  
4 instead of the 01, that particular case shouldn't be  
5 dismissed because that would say we're not going to  
6 correct the record. So what the judge entered or what  
7 they did was they entered favorably for this, which is a  
8 judgment. They're saying okay, we approve your motion  
9 and we're going to dismiss, we're going to enter a  
10 dismissal on the 00 case. So it wouldn't have shown on  
11 their list.

12 Q Was that the correct way to do it under the  
13 policies and procedures that had been established by the  
14 Supreme Court of Virginia?

15 A We don't have a policy on how they should do  
16 that. That's one way of doing it.

17 Q Okay.

18 A I can't say -- it was a judgment so it can't  
19 be a J, so it has to be an other judgment. There aren't  
20 any other codes unless you put vacated. But that was a  
21 clerk, a clerk's decision, I guess, who entered it. But  
22 they enter it as an O.

23 Q All right. Before information was provided to  
24 public record vendors through the computer cartridges  
25 that you described earlier, to your knowledge was there

13 (Pages 46 to 49)

Page 50

1 another way that public records would pick up  
2 information from the court about dispositions of  
3 judgments?

4 A List makers.

5 Q What do you mean by list makers?

6 A They go to the court and they get the  
7 information from the court.

8 Q Do you mean list makers being a company?

9 A No. Some are. Some are companies that, like  
10 Lexis probably has list makers. A lot of companies sub  
11 out work to somebody who goes to courts and looks  
12 judgments up for them. Like if there's a question on a  
13 judgment, they go and look at the court papers. So  
14 that's what list makers do. They basically sell their  
15 services. They go to court because they're local, and  
16 they research data and they provide that data back.

17 Q Have you ever heard of the word "strike" used  
18 by any of these court clerks to describe a disposition  
19 of a judgment?

20 A I've heard the word "strike," meaning -- it  
21 probably means they -- I don't know exactly what they're  
22 doing when they do that. So I don't know how that word  
23 would apply in a legal term, okay? So I couldn't answer  
24 that.

25 Q To your knowledge did any of the clerks of the

Page 52

1 stamps on it. One says "judgment of," and then it gives  
2 a date, "is set aside and case disposed of as follows,"  
3 and then it has some handwritten notes. And there's  
4 another stamp that says "on" and then it gives a date  
5 and it says "strike from your records, Sandra C. Blount,  
6 Clerk," and then a deputy clerk's signature. Do you see  
7 those two stamps?

8 A Yes.

9 Q To your knowledge, is this the type of thing  
10 that a court clerk might put in a box for collection by  
11 public record vendors, or do you have knowledge of that?

12 A I don't have knowledge.

13 Q Okay, sir. Have you ever heard of a report  
14 called a judgment satisfied report?

15 A Yes. That is when -- I think there is a  
16 report you can run, that we could run for the clerks if  
17 they ask for one. But it's, it's -- I don't know if  
18 people make it available. I don't know, they don't have  
19 to run it. Sometimes it's used to check on stuff. So I  
20 can't, I can't speak to that.

21 Q When the information on computer cartridges  
22 was made available to public record vendors, did the  
23 public record vendors pay for that service?

24 A Yes, they did.

25 Q And that process has been stopped now; is that

Page 51

1 general district courts ever put disposition documents  
2 concerning judgments into a box that would be made  
3 available to the public record vendors?

4 A Yes. That's the abstract of judgment. That's  
5 how we created what we give to the vendors, is an  
6 abstract of judgments. And most people aren't concerned  
7 with the ones that are settled or dismissed. They're  
8 primarily interested in the ones that have a judgment or  
9 an other judgment, something occurs in the case, not the  
10 settlements. Those cases are not of interest to most  
11 people.

12 Q All right, sir. Let me show you what we'll  
13 mark as Exhibit 5.

14  
15 (Mittendorff Deposition Exhibit Number 5  
16 was marked for identification)

17  
18 BY MR. LOVE:

19 Q Can you identify this document?

20 A No. I'll have to read it more. I've never  
21 heard of the case, I don't think.

22 Q When you say abstract of judgment, is this the  
23 type of document that you're talking about?

24 A No.

25 Q If you look on this document, it has two

Page 53

1 right?

2 A That's true.

3 Q And to your knowledge, since the information  
4 on computer cartridges is no longer being sent to public  
5 record vendors, do you know how public record vendors  
6 are obtaining that same type of information now?

7 A They get information off the web.

8 Q Is the information that's on the web the same  
9 information that was made available on the computer  
10 cartridges?

11 A No.

12 Q How is it different?

13 A It doesn't have address information.

14 Q Aside from address information, are there any  
15 other substantial differences between the information on  
16 the web and the information that was provided on the  
17 computer cartridges?

18 A I don't think there would be many, but I  
19 haven't done a comparison of all fields. So it's close.  
20 I mean, I can get a general information about the case  
21 from what's on the web versus what's on the cartridges.  
22 I can't say.

23 MR. LOVE: All right. Those are all the  
24 questions I have. Thank you.

## EXAMINATION

BY MR. BENNETT:

Q Sir, my name is Leonard Bennett. Actually, I haven't shaken your hand. I don't want to be rude. Good to meet you in person.

You and I spoke, maybe to your regret now, months ago by telephone if I recall; is that correct?

A I don't recall the conversation, but okay.

Q The -- you understand the allegation in this case is that -- well, let me proffer to you what the allegation in the case is and ask what knowledge you have as to that.

The allegation in this case is that the most accurate information available on court records, judgments and any disposition after judgment is in the actual courthouse where the records are. And the allegation is that by automating this process, the significant number of post-judgment changes that would have, in a credit reporting context, been favorable to the consumer, satisfactions, appeals or vacates or anything that wipes away the judgment, were missed; that the credit bureaus regularly, systematically picked up the judgment event and irregularly and less than systematically picked up the post-judgment events.

MR. LOVE: Object to the form.

clerk. And that is on every invoice that went with every copy.

Q So LexisNexis, for example, when it would have received invoices about the Virginia civil data, would have received that disclaimer or that caution?

A That's correct. Just like if you go on the web, it says on the web this is an abstract of a case, it's not the official case on the web. For the official information, you have to go to a court.

Q To the courthouses?

A To the courthouse.

Q When I -- I've only been practicing since '94, which is getting to be longer than it was ten years ago, but -- and at the time I grew up practicing in general district court in Newport News. The public record vendors or list makers or whoever these individuals are would come into the courthouse, often with laptops once laptops were around. I remember the big cellphone in the bag. You remember further back than that, of course. But they would come in with laptops and they would review documents.

There was a weekly satisfactions report that they would print out and then other -- the satisfaction papers themselves, the orders vacating it and perfected appeals would all be kept in a folder in a file cabinet.

BY MR. BENNETT:

Q What knowledge do you have as to this case as to the basic allegations? I understand this isn't your, this isn't your -- you don't have a dog in this fight, as the cliché is, right? But what knowledge do you have as to what allegations have been made?

A For one, if you get a new copy of the database, you will get the satisfactions because the satisfactions are in those cartridges. In other words, it gives you another picture of the case later. It doesn't give you the appeals. But the original intent was to create an abstract of judgment, and that's what it did.

We didn't do dismissals so it doesn't show dismissals. I know the numbers of how many appeals there are. It's like .4 percent, okay? The number of satisfied is 15 percent, 15 to 16 percent. So I know what those numbers are.

But on every invoice that we send out with those, we're not able to ask questions about what you use the data for, who you give it to. We're not able to ask that under freedom of information, so we didn't ask those questions. But we did include in every invoice, we said this is an abstract of the official record that's in the court, depending on your use of the data, you might need to check or you may need to check with a

We picked up this pattern when we asked six, seven years ago -- well, longer than that, before you started selling the lists to LexisNexis -- that why are these folders always full. And the clerks, they actually consistently said, including the Richmond and Petersburg clerks that we've spoken with in this case, that they just, the list makers whose job it was to pick these up never picked them up. And that's why we got motivated. That's questioned. I mean, that's a statement and that doesn't make it part of the record.

But with respect to the process for gathering information, prior to the point when bulk data was available, what is your understanding of how post-judgment changes to the judgment would have been made available to what you called list makers?

MR. LOVE: Object to the form.

THE WITNESS: Well, the biggest one was the abstract of judgment. And we were asked to automate that one because that -- we weren't asked to automate appeals or no one's ever asked us to add additional fields on the jobs that we did to cover the other items.

It's difficult for some of them, satisfactions is one, because they occur at different times. So it's really difficult, but it's possible to run a

1 satisfied, a list just like the job we ran for you.

2 Had someone asked us to run a list, we could have  
3 run a list.

4 BY MR. BENNETT:

5 Q And the list that -- and I wasn't the one who  
6 spoke with Mr. Macon. And I understand it was -- we  
7 have two other employees that Equifax is deposing who  
8 participated in the, sort of the hands-on part of  
9 preparing the data in response to our request; is that  
10 correct?

11 A Correct.

12 Q And who are those individuals?

13 A Dave Savage and Mamiko Barnard.

14 Q Do you supervise those individuals?

15 A No, not directly.

16 Q Not directly. But have you seen the list that  
17 the state produced in our instance?

18 A I saw part of the list.

19 Q And that was for a specific task, as you just  
20 said?

21 A Right.

22 Q For example, if we had asked for individuals  
23 who had a satisfaction noted between -- in 2009, that  
24 small -- that would be a subset, but that could have  
25 been produced?

1 year that it started. It gives a sequential number and  
2 then a dash. And that suffix 01 tells you that this is  
3 part of the original case. It's a subsequent action.  
4 Another subsequent action would be a garnishment. So on  
5 garnishments, they would have been included in the bulk  
6 data as well.

7 Q And on the first page of this Exhibit 2, under  
8 case disposition, on the left middle, that field has  
9 "I"; is that correct?

10 A That's correct.

11 Q And that corresponds with the status case  
12 dismissed; correct?

13 A That's correct.

14 Q At the top right of this document, it says  
15 DEF1, and below that, DEF2. Do you see that?

16 A That's correct.

17 Q This field is when there are multiple  
18 defendants; is that correct?

19 A Yes, that's correct.

20 Q It's possible that you have judgment or a  
21 vacate with respect to one defendant but not the other?

22 A That's correct.

23 Q And that's why you actually have different,  
24 what I'll say status fields available for each defendant  
25 here, and then you have just sort of the overall case

1 A Yes.

2 Q In this instance with Ms. Soutter, the first  
3 page of the judgment disposition record -- and, I'm  
4 sorry, I don't know what it was -- what does the green  
5 sticker say on the bottom?

6 MR. KUGELMAN: Just make sure we have the  
7 right one. Is that it?

8 MR. BENNETT: That's it.

9 MR. KUGELMAN: Exhibit 2.

10 BY MR. BENNETT:

11 Q Exhibit 2, this is, at the top, it has a case  
12 number.

13 A Uh-huh.

14 Q And it then says dash 00. Do you see that?

15 A Yes.

16 Q On the second page of this, it has the same  
17 case number and then it says dash 01?

18 A That's correct.

19 Q In Virginia when we have post-judgment  
20 actions, in this instance a dismissal or a motion to  
21 vacate, but maybe debtor interrogatories or garnishment  
22 summons, how are those noted as connected to or a subset  
23 of the original case?

24 A They get a dash 01. It's a suffix. The case  
25 number basically tells you the court. It gives you the

1 for the case disposition field on the left; correct?

2 A That's correct.

3 Q In this instance, the code for Donna Soutter,  
4 DEF1 at the top right, is also "I"; correct?

5 A That's correct.

6 Q That is, I note from Exhibit 1, page five, the  
7 code for case dismissed?

8 A That's correct.

9 Q Now, if -- let's -- I think you've already  
10 suggested that if you looked at this screen on a  
11 different day than this final output, if the status at  
12 that time was different, the screen would look  
13 different?

14 A That's correct.

15 Q For example, in this instance there was a  
16 judgment that had been entered on the 29th of January.  
17 If you were to look at the screen on the 29th of  
18 January, it would be fair to presume that the case  
19 disposition code would not have an "I" in it?

20 A That's correct.

21 Q Would it have a "P" in it for plaintiff if  
22 judgment were taken in favor of the plaintiff, or is  
23 there a different way that a judgment itself is noted?

24 A No. It would have a "P."

25 Q And the top right corner for Donna Soutter



Page 62

1 where it currently says "I," if the record at that time  
2 was for a judgment that was still in favor of the  
3 creditor, the plaintiff, what would that code say?

4 A "P."

5 Q Now, we are going back in time using what  
6 tools are available to try to, from our perspective, the  
7 plaintiff's side, try to fix credit reporting data that  
8 we allege is inaccurate. So that we're not suggesting  
9 that this is -- that the data that you provided is the  
10 best data in the history of data to measure what might  
11 have happened in '06 or '05 or '08. Your data records  
12 the status as of today, the data you produced to us;  
13 correct?

14 A What we just produced on your --

15 Q Yes.

16 A Yes.

17 Q The question Mr. Love asked was if the court  
18 data that had been inputted into the CMS or the court  
19 management system, if the actual mechanical input into  
20 the computer was less accurate than the actual court  
21 record in the clerk's office, your computer wouldn't  
22 have a way to pick up that discrepancy.

23 A That's correct.

24 Q And the only way to have picked up that  
25 discrepancy would actually have reviewed the court

Page 64

1 the current state of data within the computer systems in  
2 our court system as to the current status of judgments  
3 as of today?

4 That is, going back, we've asked for data  
5 going back for the last decade. Are you aware, is there  
6 any other data source that would be more --

7 A Yeah. You could ask for every case.

8 Q Every case.

9 A And then the problem with your request and  
10 somewhat what's on the cartridges, we create a job, that  
11 creates the abstract of judgment. That's what it was  
12 because that's what people wanted. They didn't want the  
13 dismissals; okay?

14 Q Right.

15 A Now, this is -- and I don't know how many  
16 cases this occurred. It's kind of unusual for a case in  
17 the district court to be later dismissed. I don't know  
18 how many there are but I don't imagine it happens very  
19 often. But the best way to do it would be that we go  
20 through, and every court case has a final hearing. It  
21 wouldn't matter what happened earlier. You'd get the  
22 final hearing. And it's -- and that way you would know  
23 for every case, which one should be included and which  
24 ones should not. Because even if you got a copy of 00,  
25 you would not see a "P" any more in there. You would

Page 63

1 record itself?

2 A That's correct.

3 Q We didn't ask for the "I" fields or the data  
4 we have doesn't include any Is. It doesn't include tax  
5 liens. It doesn't include circuit court data. But is  
6 there any -- would there be any difficulty -- I mean,  
7 there is certainly work required, computer time  
8 required. But had we gone back and requested the "I"  
9 field, is there any technical limitation that the  
10 supreme court case management system would have in  
11 providing that information?

12 A We could do it.

13 Q The --

14 A But like you said before, we could do it, but  
15 it would only be as accurate as whoever put the  
16 information in.

17 Q That's right.

18 A Even your list may have some errors in it.

19 Q That's right.

20 A I can't tell you that.

21 Q In our list, we're trying to compare -- we  
22 also have received from Equifax data of who they are  
23 reporting with judgments, and so we're going to overlay.  
24 And so it's an imperfect process, but...

25 Are you aware of any better means to obtain

Page 65

1 see an "I." So it was dismissed.

2 But the problem is, no one ever asked us to  
3 produce a list of all the dismissals. We got, we got  
4 the dispositions that were in the abstract for judgment  
5 file and that's what we provided. If somebody said can  
6 you run all the dismissals, of course. We can give you  
7 whichever way you want to cut it. The problem is,  
8 sometimes you have to think about the problem that  
9 you're trying to solve.

10 And that's one of the things I said before. I  
11 do problem solving. If you tell me the problem, we'll  
12 figure out how we could run the job, because somebody  
13 else trying to figure out how to run the job is going to  
14 probably make some mistakes. Just like the mistake you  
15 made. You missed the one that you wanted because you  
16 didn't ask for J. You just asked for the dismissals and  
17 the other thing. That's why you didn't see the case.  
18 It wasn't on your list.

19 Q Talk to my wife. That's the least of my  
20 mistakes.

21 A Okay. Anyway, well, it's possible to -- if  
22 everybody wanted to fix the problem, we could work to  
23 fix the problem.

24 Q Now, is this also true with circuit court data  
25 for those circuit courts that report to the supreme

Page 66

1 court system?

2 A We could -- you know, if we ran the data and  
3 we ran what it has, we could potentially correct --  
4 provide a means to correct. You still have the little  
5 problem of did somebody make a data entry error. You  
6 know, on the one side people are looking like they  
7 didn't vacate it, you put dismissed in, you put in other  
8 judgment versus a vacated; well --

9 Q Well, let me talk about that. The vacating,  
10 you understand, is the reopening of a case or  
11 elimination of the previous final judgment; correct?

12 MR. LOVE: Object to the form.

13 BY MR. BENNETT:

14 Q Is that --

15 A I'm not an attorney.

16 Q Okay. But you can vacate, have a judgment --  
17 it's possible to have a judgment vacated and then have a  
18 trial later. Let's assume that there is -- a common  
19 reason for vacating is that there is no service or there  
20 was a mistake in service. They thought that they had  
21 service of process on someone and they didn't. So then  
22 the judgment could be vacated, later have a trial after  
23 service is corrected, and then the creditor plaintiff  
24 wins again at that trial and you have a judgment.

25 And another instance could be like this one,

Page 68

1 service, then until you get service, you'd have to  
2 continue the case because we weren't able to do it, or  
3 you could vacate it because you couldn't find them. But  
4 in some cases the parties would just come back and put a  
5 new hearing date on the case. So it depends on what  
6 happens.

7 Yeah, there are ways to handle almost anything  
8 that occurs in the court to put a disposition in for  
9 that particular hearing. Doesn't close the case out  
10 but -- and that's why we have this nifty little thing,  
11 we put the hearing dates on the side so we know what's  
12 the last thing that happened. But if you go to the  
13 file, there is something actually for all those dates.  
14 But what principally shows on here is what happens, it  
15 just gives you an abstract of the case. It's not the  
16 whole case.

17 So yeah, we can put different codes in. And  
18 for every hearing, there has to be some action. A lot  
19 of times that's just a "C," it's just continued and a  
20 new date is set. But there are ways to handle it.

21 Q And if a case is vacated and then later  
22 dismissed, what should be reflected in the case  
23 disposition?

24 A I can't answer that.

25 Q There's no right answer, is that -- I mean no

Page 67

1 where it's vacated, and in addition to being vacated, is  
2 dismissed. In circumstances where a judgment is vacated  
3 and then later tried again with judgment being entered  
4 again in favor of the plaintiff, how would that be  
5 properly displayed in the case management system?

6 MR. LOVE: Object to the form.

7 THE WITNESS: That's a combination question.

8 BY MR. BENNETT:

9 Q Sure. Just the last one instead of all the  
10 talking stuff that I won't get to use.

11 A Well, in each case, if the case was vacated,  
12 the court clerk could enter vacated and there wouldn't  
13 be -- at that time, let's suppose it was failed to  
14 deliver. In other words, it didn't get delivered  
15 correctly, couldn't find the thing and they vacated the  
16 case, whatever. It would be vacated. That would be the  
17 last action on the case until you got service.

18 When you got service, there would have to be a  
19 hearing date. So everything goes by hearing dates. If  
20 there is a hearing date set, when you open a case, there  
21 is a hearing date. Every case has to have a hearing  
22 date. So right now it's an active case if there is an  
23 open hearing date.

24 Until you get service, you're trying to  
25 schedule it for a date in the future. If you don't get

Page 69

1 official --

2 A I can't answer that.

3 MR. LOVE: Object to the form.

4 THE WITNESS: I'm not, I'm not in judicial  
5 services. I'm in automation. I could handle it  
6 either way you put it in.

7 BY MR. BENNETT:

8 Q Got it.

9 A But I can't tell you the way to do it because  
10 I haven't gone to that training session to say, Oh,  
11 yeah, that's the way. You'd have to get somebody from  
12 judicial services who would give you the procedure.  
13 Dave Savage or Mamiko can't answer that question either.

14 Q Got it.

15 MR. LOVE: Can we go off the record just a  
16 moment while Mr. Bennett is looking at his notes  
17 here?

18 (Discussion off the record)

19  
20 BY MR. BENNETT:

21 Q You have made a couple statements, and I want  
22 to delve more into that, about when LexisNexis and  
23 other, we call vendors, they vend to the credit bureaus,  
24 requested to purchase data from the supreme court  
25

Page 70

1 system, they never asked to purchase vacated, appealed,  
2 or dismissed judgments or dispositions; correct?

3 A No.

4 Q And is that true through today?

5 A No one's asked for that except for you.

6 Q Except for us. Okay.

7 MR. BENNETT: Let's go off the record a  
8 second.

9  
10 (Recess)

11  
12 MR. BENNETT: We don't have any more  
13 questions. I appreciate your time. Mr. Love is  
14 going to ask you something, I guess.

15  
16 FURTHER  
17 EXAMINATION

18 BY MR. LOVE:

19 Q I just have a few follow-ups here.

20 First of all, you mentioned some data earlier,  
21 .4 percent for appeals. Does that include -- is that a  
22 statistic that covers both the judgments in general  
23 district court and circuit court?

24 A Just general district.

25 Q Just general district court. So of all the

Page 71

1 judgments that are entered in general district courts in  
2 Virginia, on average only .4 percent are actually  
3 appealed?

4 A That's numbers that I ran for 2008 and 2009.

5 Q And then for satisfied you mentioned 15 to  
6 16 percent. Is that also just for the general district  
7 court?

8 A For the whole years of 8 and 9, and that  
9 allows for cases up to now. So if anything was  
10 satisfied from 2000 -- ran the numbers yesterday so I  
11 would know that number. But if anybody ran a case in  
12 2008 all the way up to 2010, that includes all of the  
13 ones. All the cases that were appealed from those two  
14 years would have been .4 percent. And any satisfactions  
15 in that was actually 15.75, I believe, but it's not  
16 quite 16 percent.

17 Q Did you run the numbers on the percentage of  
18 judgments that are vacated in the general district  
19 court?

20 A No.

21 Q Do you have any idea what the percentage of  
22 judgments are in the general district courts on average  
23 that are vacated or set aside?

24 A I'd just have to look at their numbers. I  
25 could use their numbers and give you your answer, but...

Page 72

1 Q Let's talk about -- you talked about  
2 satisfactions being difficult to automate. And I wanted  
3 to ask you to take another look at what was marked as  
4 Exhibit 3 which is the training materials.

5 A Okay. Right.

6 Q On page A5, in the middle of that page is a  
7 sample screen shot from civil hearing disposition update  
8 screen; right?

9 A Right.

10 Q And down at the bottom left of that screen  
11 shot, we talked about this entry before, it says "JGMT  
12 SAT"; right?

13 A Right.

14 Q And that means judgment satisfied?

15 A Right.

16 Q And on that line, if a district court clerk,  
17 general district court clerk receives information from a  
18 plaintiff or some outside source that notifies the clerk  
19 that a judgment has been satisfied, then the clerk will  
20 enter a date on that line; correct?

21 A That's correct.

22 Q And the date that it enters will be the date  
23 that the clerk received notice of the satisfaction?

24 A That's correct.

25 Q Satisfaction could have been conducted or --

Page 73

1 that's not the right word. The satisfaction could have  
2 occurred prior to the date the clerk received notice?

3 A Certainly.

4 Q But for uniformity and the court's purposes,  
5 the date that's entered for the judgment satisfied is  
6 the date the court receives notice?

7 A And there's a reason for that.

8 Q What is the reason for that?

9 A The reason for that is, that way someone can't  
10 go back and say some decision was made based on -- we  
11 used to just put a mark satisfied but we didn't know  
12 when. So somebody could claim that, Oh, it was done in  
13 2007, when really as far as the clerk's office knew, it  
14 didn't occur until 2009. So if somebody went back and  
15 checked judgments, they would see it wasn't satisfied  
16 and it wasn't satisfied until 2009. It may have been  
17 satisfied in 2007, but the plaintiff didn't let the  
18 clerk's office know. And until the defendant said I  
19 don't know why you still have that, it's been paid,  
20 well, then you need to get the plaintiff to get in here  
21 and get us a notice; okay?

22 I notice -- I know it's a problem sometimes  
23 because somebody tries to close on a house and there is  
24 a judgment outstanding, and they didn't realize it  
25 because the judgment had been recorded in the circuit

| Page 74   | Page 75   |
|---|---|
| <p>1 court and it's on the judgment lien docket in circuit<br/> 2 court. So somebody can't, can't get a closing until<br/> 3 they get that removed. But anyway, I've been in clerk's<br/> 4 office when that has occurred. But anyway, so everybody<br/> 5 runs around real quick and tries to get that paperwork<br/> 6 in so you can purchase your house; okay?<br/> 7 Q And the information on the list that<br/> 8 Ms. Soutter's attorneys requested recently, that<br/> 9 information is all just from the general district courts<br/> 10 in Virginia; correct?<br/> 11 A That's correct.<br/> 12 Q It doesn't contain any information from any<br/> 13 circuit courts in Virginia?<br/> 14 A That's correct.<br/> 15 MR. LOVE: Those are all the questions I have.<br/> 16 Thank you, sir.<br/> 17 THE WITNESS: Okay.<br/> 18 MR. KUGELMAN: Any other --<br/> 19 MR. BENNETT: No. That's all. Thank you.<br/> 20<br/> 21 AND FURTHER THIS DEPONENT SAITH NOT.<br/> 22<br/> 23 SIGNATURE OF THE WITNESS WAIVED BY<br/> 24 AGREEMENT OF COUNSEL AND THE WITNESS.<br/> 25</p> | <p>1 (Deposition concluded at 11:44 a.m.)<br/> 2 * * * * *<br/> 3<br/> 4<br/> 5<br/> 6<br/> 7<br/> 8<br/> 9<br/> 10<br/> 11<br/> 12<br/> 13<br/> 14<br/> 15<br/> 16<br/> 17<br/> 18<br/> 19<br/> 20<br/> 21<br/> 22<br/> 23<br/> 24<br/> 25</p>   |
| Page 76   |   |
| <p>1 COMMONWEALTH OF VIRGINIA AT LARGE, to wit:<br/> 2 I, Gwenda E. Applegate, Court Reporter,<br/> 3 Notary Public in and for the Commonwealth of<br/> 4 Virginia at Large, and whose commission expires<br/> 5 November 30, 2013, do certify that the aforementioned<br/> 6 appeared before me, was sworn by me, and was thereupon<br/> 7 examined by counsel; and that the foregoing is a true,<br/> 8 correct, and full transcript of the testimony adduced.<br/> 9 I further certify that I am neither<br/> 10 related to nor associated with any counsel or party<br/> 11 to this proceeding, nor otherwise interested in the<br/> 12 event thereof.<br/> 13 Given under my hand and notarial seal at<br/> 14 Charlottesville, Virginia, this 8th day of October<br/> 15 2010.<br/> 16<br/> 17<br/> 18<br/> 19<br/> 20<br/> 21 Gwenda E. Applegate, Notary Public<br/> 22 Commonwealth of Virginia at Large<br/> 23 Registration Number 115863<br/> 24<br/> 25</p>  | <p>1<br/> 2 CHANGES REQUESTED TO THE DEPOSITION OF:<br/> 3 KEN MITTENDORFF<br/> 4 TAKEN: October 6, 2010<br/> 5<br/> 6<br/> 7 PAGE/LINE: DESCRIPTION<br/> 8 _____<br/> 9 _____<br/> 10 _____<br/> 11 _____<br/> 12 _____<br/> 13 _____<br/> 14 _____<br/> 15 _____<br/> 16<br/> 17<br/> 18 DATE: _____<br/> 19 SIGNATURE: _____<br/> 20<br/> 21 NOTARY PUBLIC: _____<br/> 22 MY COMMISSION EXPIRES: _____<br/> 23<br/> 24<br/> 25 REPORTED BY: GWENDA E. APPLGATE, RPR, CRR</p> |

|  |  |  |   |   |
|--|--|--|---|---|
| <p><b>A</b></p> <p><b>ability</b> 8:24,24 9:13</p> <p><b>able</b> 12:25 13:2<br/>55:19,20 68:2</p> <p><b>abstract</b> 16:18 38:1<br/>38:8 41:13 51:4,6<br/>51:22 55:12,23<br/>56:7 57:18 64:11<br/>65:4 68:15</p> <p><b>abstracts</b> 38:3,10<br/>38:12</p> <p><b>access</b> 10:13,23</p> <p><b>accurate</b> 45:23<br/>54:14 62:20 63:15</p> <p><b>action</b> 1:6 14:19<br/>23:1 44:10 48:16<br/>60:3,4 67:17<br/>68:18</p> <p><b>actions</b> 59:20</p> <p><b>active</b> 67:22</p> <p><b>activity</b> 31:13</p> <p><b>actual</b> 17:2 18:10<br/>28:17 33:4 35:10<br/>54:16 62:19,20</p> <p><b>add</b> 57:21</p> <p><b>added</b> 7:24 13:17<br/>29:10</p> <p><b>addition</b> 67:1</p> <p><b>additional</b> 12:15<br/>57:21</p> <p><b>address</b> 16:2,10<br/>53:13,14</p> <p><b>adduced</b> 76:8</p> <p><b>administrative</b> 5:2</p> <p><b>advantages</b> 14:4,8</p> <p><b>advises</b> 43:23</p> <p><b>aforementioned</b><br/>76:5</p> <p><b>agencies</b> 5:3</p> <p><b>ago</b> 10:6 38:6 54:7<br/>56:13 57:2</p> <p><b>agree</b> 17:8</p> <p><b>agreed</b> 49:3</p> <p><b>AGREEMENT</b><br/>74:24</p> <p><b>ahead</b> 17:22</p> <p><b>allegation</b> 54:9,11<br/>54:13,17</p> | <p><b>allegations</b> 55:3,6</p> <p><b>allege</b> 62:8</p> <p><b>allow</b> 9:2 13:8</p> <p><b>allowed</b> 34:11</p> <p><b>allows</b> 14:8 71:9</p> <p><b>amended</b> 22:15</p> <p><b>amount</b> 42:24</p> <p><b>answer</b> 29:23 34:8<br/>34:23 50:23 68:24<br/>68:25 69:2,13<br/>71:25</p> <p><b>ANTHONY</b> 2:17</p> <p><b>anybody</b> 71:11</p> <p><b>anyway</b> 36:10<br/>65:21 74:3,4</p> <p><b>appeal</b> 26:6,8,10,10<br/>44:20,24 45:2,2,3<br/>45:10,16,20 46:4<br/>46:10,11,12</p> <p><b>appealed</b> 26:4 46:1<br/>47:17,21 48:19<br/>70:1 71:3,13</p> <p><b>appeals</b> 8:14,20 9:5<br/>26:16 41:23 44:18<br/>46:11 54:20 55:11<br/>55:14 56:25 57:20<br/>70:21</p> <p><b>appeal's</b> 44:24</p> <p><b>appear</b> 13:5 16:10<br/>27:24 32:4 33:9<br/>38:12 48:11,13</p> <p><b>APPEARANCES</b><br/>2:10</p> <p><b>appeared</b> 30:11<br/>33:18 48:8 76:6</p> <p><b>appears</b> 18:19 20:2<br/>31:8</p> <p><b>APPL</b> 26:12,14</p> <p><b>Applegate</b> 1:25 2:3<br/>76:2,21 77:25</p> <p><b>apply</b> 19:15 50:23</p> <p><b>appreciate</b> 70:13</p> <p><b>approve</b> 49:8</p> <p><b>approximately</b><br/>39:2</p> <p><b>area</b> 19:18</p> <p><b>aside</b> 8:15 32:10<br/>34:6,22 35:3 42:2</p> | <p>52:2 53:14 71:23</p> <p><b>asked</b> 38:6 47:16<br/>47:18 48:14 49:1<br/>57:1,18,19,20<br/>58:2,22 62:17<br/>64:4 65:2,16 70:1<br/>70:5</p> <p><b>assigned</b> 15:5,9,9</p> <p><b>assist</b> 5:1</p> <p><b>assistant</b> 4:17</p> <p><b>associated</b> 76:10</p> <p><b>ASSOCIATES</b><br/>2:11</p> <p><b>assume</b> 14:23<br/>66:18</p> <p><b>assumes</b> 29:18</p> <p><b>Atlanta</b> 2:17</p> <p><b>attorney</b> 2:20<br/>66:15</p> <p><b>attorneys</b> 13:3 15:6<br/>47:9 48:3 74:8</p> <p><b>automate</b> 38:7<br/>57:19,20 72:2</p> <p><b>automated</b> 6:16<br/>9:10</p> <p><b>automatic</b> 16:7</p> <p><b>automating</b> 6:5<br/>54:17</p> <p><b>automation</b> 6:4<br/>69:5</p> <p><b>available</b> 9:23,25<br/>10:4,10,14 11:15<br/>11:21 12:2 15:25<br/>16:1,12,13,16<br/>17:5,13 25:21<br/>28:6 35:21 40:3<br/>51:3 52:18,22<br/>53:9 54:14 57:13<br/>57:15 60:24 62:6</p> <p><b>average</b> 71:2,22</p> <p><b>awarded</b> 20:2</p> <p><b>aware</b> 14:18 36:2<br/>37:3 63:25 64:5</p> <p><b>A-vacated</b> 27:14</p> <p><b>a.m</b> 1:16,16 2:7 4:1<br/>75:1</p> <p><b>A2-00</b> 33:4</p> <p><b>A5</b> 27:4,7 34:25</p> | <p>42:5,18 44:19<br/>72:6</p> <p><b>B</b></p> <p><b>B</b> 3:10</p> <p><b>back</b> 6:6,20 7:13<br/>14:13 20:20 22:23<br/>26:16 27:23 31:9<br/>32:3 34:4 35:6<br/>42:4 43:6 44:8<br/>46:14 50:16 56:19<br/>62:5 63:8 64:4,5<br/>68:4 73:10,14</p> <p><b>bag</b> 56:19</p> <p><b>bankruptcy</b> 26:9</p> <p><b>bar</b> 12:24</p> <p><b>Barnard</b> 48:4<br/>58:13</p> <p><b>based</b> 29:13 31:20<br/>34:20 37:24 38:10<br/>73:10</p> <p><b>basic</b> 36:5 55:3</p> <p><b>basically</b> 13:9 29:6<br/>36:4 49:3 50:14<br/>59:25</p> <p><b>behalf</b> 1:4 2:2</p> <p><b>believe</b> 26:5 45:13<br/>47:16 48:24 71:15</p> <p><b>Bennett</b> 2:12 3:6<br/>29:17 36:21,24<br/>47:7 54:2,3 55:1<br/>58:4 59:8,10<br/>66:13 67:8 69:7<br/>69:16,21 70:7,12<br/>74:19</p> <p><b>best</b> 62:10 64:19</p> <p><b>better</b> 7:21 38:16<br/>63:25</p> <p><b>big</b> 4:25 14:4,6<br/>37:7 56:18</p> <p><b>biggest</b> 5:5 57:17</p> <p><b>Blount</b> 52:5</p> <p><b>bold</b> 24:3</p> <p><b>bond</b> 45:4</p> <p><b>bottom</b> 19:17 26:7<br/>26:7,9 27:12 42:6<br/>42:17,18 44:23<br/>59:5 72:10</p> | <p><b>Boulevard</b> 2:11</p> <p><b>box</b> 27:13,16 28:1<br/>42:6 44:19 51:2<br/>52:10</p> <p><b>brought</b> 48:16,16</p> <p><b>building</b> 35:7</p> <p><b>bulk</b> 57:12 60:5</p> <p><b>bureaus</b> 54:22<br/>69:24</p> <p><b>C</b></p> <p><b>C</b> 52:5 68:19</p> <p><b>cabinet</b> 56:25</p> <p><b>CAIS</b> 9:9</p> <p><b>calendar</b> 38:4</p> <p><b>call</b> 9:8 36:11 69:24</p> <p><b>called</b> 11:12 14:3<br/>14:20 37:4 52:14<br/>57:15</p> <p><b>captioned</b> 32:9</p> <p><b>cartridge</b> 47:4</p> <p><b>cartridges</b> 39:11,12<br/>39:13,16,19 40:6<br/>40:14,22 41:6,23<br/>41:25 46:16,19,22<br/>49:24 52:21 53:4<br/>53:10,17,21 55:9<br/>64:10</p> <p><b>Cary</b> 2:8</p> <p><b>case</b> 4:11 6:10,12<br/>8:1 9:11,12,15,23<br/>10:3,20 11:7,12<br/>11:14 13:2,2 15:2<br/>15:4,7,16,25 16:6<br/>16:12,19,20,22<br/>17:24 18:9 19:2<br/>19:15,17,19,22<br/>20:7,12,25 21:1,9<br/>21:12,13,23 22:9<br/>22:15 23:4,19,24<br/>24:7,8,21 25:14<br/>25:20,21 27:1,1<br/>27:20 28:15 30:5<br/>31:1 32:25 33:2,3<br/>33:4,6,10,12,17<br/>35:15,21 40:11,14<br/>40:19 42:12 43:12<br/>44:9 45:4 46:22</p> |
|--|--|--|---|---|

|  |  |   |   |   |
|--|--|---|---|---|
| 47:2,3,9,15 48:15<br>48:23,24 49:2,4<br>49:10 51:9,21<br>52:2 53:20 54:10<br>54:11,13 55:2,10<br>56:7,8 57:6 59:11<br>59:17,23,24 60:3<br>60:8,11,25 61:1,7<br>61:18 63:10 64:7<br>64:8,16,20,23<br>65:17 66:10 67:5<br>67:11,11,16,17,20<br>67:21,22 68:2,5,9<br>68:15,16,21,22<br>71:11<br><b>cases</b> 8:23,23,25<br>15:11,12 27:21<br>32:24 33:1,1<br>37:22 38:12,15<br>42:8 47:16,17,17<br>48:15 51:10 64:16<br>68:4 71:9,13<br><b>caution</b> 56:5<br><b>cellphone</b> 56:18<br><b>certain</b> 25:4 47:10<br>48:15<br><b>certainly</b> 20:15<br>63:7 73:3<br><b>certify</b> 76:5,9<br><b>change</b> 9:2 30:12<br>30:16 34:11<br><b>changed</b> 13:18 30:8<br>31:19<br><b>changes</b> 14:12<br>31:16 38:22 54:18<br>57:14 77:2<br><b>Charlottesville</b><br>76:14<br><b>chart</b> 14:15 20:20<br>22:23 35:8,9,23<br><b>check</b> 12:5 45:16<br>52:19 55:25,25<br><b>checked</b> 73:15<br><b>checkmark</b> 42:22<br><b>choose</b> 28:9<br><b>chose</b> 28:10<br><b>circuit</b> 5:22 6:2,10<br>6:19,25 7:8,10 | 11:6,11,12,14,18<br>11:20,22 12:1<br>17:4,11 20:23<br>21:6,11,11,13<br>28:14 34:4 35:15<br>39:20,23,23 40:2<br>40:4,8,12,16,20<br>45:5 46:23 63:5<br>65:24,25 70:23<br>73:25 74:1,13<br><b>circumstances</b> 67:2<br><b>civil</b> 1:6 2:5 9:13<br>15:11 22:21,22<br>23:3 27:9 32:25<br>37:22,23 41:2<br>45:13 56:4 72:7<br><b>claim</b> 19:3 73:12<br><b>clarify</b> 43:16<br><b>clerk</b> 6:18 7:15<br>11:23 15:18 21:5<br>21:12 34:10 35:14<br>42:11 43:3,12<br>45:15,20 49:21<br>52:6,10 56:1<br>67:12 72:16,17,18<br>72:19,23 73:2<br><b>clerks</b> 5:12 6:1,15<br>8:8,17 9:7,16,22<br>11:21 12:1 17:9<br>28:13,14,25 34:5<br>34:11 42:7 45:24<br>47:1 50:18,25<br>52:16 57:4,6<br><b>clerk's</b> 15:20 49:21<br>52:6 62:21 73:13<br>73:18 74:3<br><b>cliche</b> 55:5<br><b>close</b> 53:19 68:9<br>73:23<br><b>closed</b> 48:17,21<br><b>closing</b> 74:2<br><b>CMS</b> 62:18<br><b>code</b> 25:10 26:4,6<br>27:9 28:6,14<br>29:10 34:24 43:2<br>44:20 46:3,4 61:3<br>61:7,19 62:3<br><b>codes</b> 24:24 25:4,7 | 25:13,21,25 26:3<br>27:18,24,25,25<br>34:4,15 42:7,8<br>49:20 68:17<br><b>coding</b> 34:2<br><b>collection</b> 52:10<br><b>combination</b> 67:7<br><b>come</b> 26:16 28:25<br>30:23 56:17,20<br>68:4<br><b>comes</b> 15:4 44:8<br>46:8<br><b>commencing</b> 2:7<br><b>commission</b> 76:4<br>77:22<br><b>common</b> 66:18<br><b>Commonwealth</b><br>2:4 76:1,3,22<br><b>companies</b> 50:9,10<br><b>company</b> 37:7 50:8<br><b>compare</b> 63:21<br><b>comparison</b> 16:18<br>53:19<br><b>complete</b> 38:17<br><b>computer</b> 7:17<br>8:19 9:9,16 15:23<br>17:12 39:13 40:6<br>40:10,21 41:6,23<br>41:25 46:16,18,22<br>47:4 49:24 52:21<br>53:4,9,17 62:20<br>62:21 63:7 64:1<br><b>computerized</b> 6:24<br>8:3,9<br><b>concerned</b> 51:6<br><b>concerning</b> 8:20<br>19:3 31:1 51:2<br><b>concluded</b> 75:1<br><b>conduct</b> 28:12,23<br><b>conducted</b> 72:25<br><b>connected</b> 59:22<br><b>consistently</b> 57:5<br><b>consumer</b> 2:11<br>17:25 54:20<br><b>contain</b> 39:16,19<br>41:23 42:1 74:12<br><b>contained</b> 22:4<br><b>contains</b> 42:6 | <b>context</b> 54:19<br><b>continuances</b> 15:11<br>15:12<br><b>continue</b> 68:2<br><b>continued</b> 15:13<br>68:19<br><b>conversation</b> 54:8<br><b>copied</b> 15:24<br><b>copies</b> 11:4 14:9<br>32:22<br><b>copy</b> 10:7 18:11<br>33:10 38:8 48:5<br>55:7 56:2 64:24<br><b>corner</b> 24:2 27:5,12<br>61:25<br><b>correct</b> 4:13 6:17<br>6:22 10:25 12:10<br>14:21 17:15 18:24<br>19:6,12,16 20:3,4<br>21:3,10,14 22:20<br>23:4,11,16,20,25<br>24:1,11 25:2,6,9<br>25:12,24 26:2,14<br>27:11,22 28:3,8<br>28:10,11 29:16<br>31:14,22 33:13,22<br>33:23,25 34:1<br>35:24 40:9,17<br>43:13,24 44:17,20<br>44:21 45:11 46:5<br>46:9,13,25 47:5,6<br>49:6,12 54:7 56:6<br>58:10,11 59:18<br>60:9,10,12,13,16<br>60:18,19,22 61:1<br>61:2,4,5,8,14,20<br>62:13,23 63:2<br>66:3,4,11 70:2<br>72:20,21,24 74:10<br>74:11,14 76:8<br><b>corrected</b> 66:23<br><b>correctly</b> 67:15<br><b>corresponds</b> 60:11<br><b>costs</b> 20:3<br><b>counsel</b> 2:10,14,18<br>2:22 47:14 74:24<br>76:7,10<br><b>couple</b> 69:22 | <b>course</b> 36:24 56:20<br>65:6<br><b>court</b> 1:1 2:3 4:9,18<br>5:13 6:4,10,14,19<br>6:19 7:15,16 8:11<br>8:13 9:4,7,12,15<br>9:22,23 10:3,12<br>10:19,24 11:2,11<br>11:12,14,16,20,22<br>12:1,9,10,25 13:1<br>13:10,12,13 14:18<br>14:19,24 15:1,18<br>15:19 16:6,12,25<br>17:1,2,10,11,14<br>18:5,23 19:14,18<br>20:2,10,16,23,24<br>21:1,6,6,9,11,12<br>21:13 22:1,19,21<br>22:23,25 23:3,23<br>25:1,18,19 28:5<br>29:14 30:25 32:25<br>33:19 34:15,15,20<br>35:10,11,14,15,15<br>35:20 36:12,16<br>38:17 39:23,23<br>42:7,11,24 43:2<br>43:22,23,25 44:2<br>44:15 45:5 48:25<br>49:14 50:2,6,7,13<br>50:15,18 52:10<br>54:14 55:24 56:9<br>56:15 59:25 62:17<br>62:18,20,25 63:5<br>63:10 64:2,17,20<br>65:24 66:1 67:12<br>68:8 69:25 70:23<br>70:23,25 71:7,19<br>72:16,17 73:6<br>74:1,2 76:2<br><b>courthouse</b> 54:16<br>56:11,17<br><b>courthouses</b> 56:10<br><b>courtroom</b> 15:1<br><b>courtroom's</b> 15:9<br><b>courts</b> 5:18,18,22<br>6:2,2,6,11,15,16<br>6:22,25 7:5,8,8,10<br>7:14 8:9,18 9:17 |
|--|--|---|---|---|

|   |  |   |   |  |
|---|--|---|---|--|
| 10:8 11:6,17,18<br>11:20 13:17,17<br>17:3,4 19:8 25:4<br>26:25 27:9,19,21<br>28:13,14 34:3,4<br>36:7,11 39:17,20<br>39:20,21 40:2,4,8<br>40:12,15,16,20,20<br>46:23,24 47:1<br>50:11 51:1 65:25<br>71:1,22 74:9,13<br><b>court's</b> 16:14 35:22<br>38:4 44:6,15 46:8<br>73:4<br><b>cover</b> 57:22<br><b>covered</b> 41:11<br><b>covers</b> 70:22<br><b>create</b> 12:11,13<br>14:15 55:12 64:10<br><b>created</b> 12:8 51:5<br><b>creates</b> 64:11<br><b>creating</b> 12:9,18<br><b>credit</b> 18:12 54:19<br>54:22 62:7 69:24<br><b>creditor</b> 62:3 66:23<br><b>criminal</b> 9:13<br>45:12<br><b>CRR</b> 1:25 77:25<br><b>current</b> 4:24 64:1,2<br><b>currently</b> 62:1<br><b>cut</b> 65:7 | 62:11,12,18 63:3<br>63:5,22 64:1,4,6<br>65:24 66:2,5<br>69:25 70:20<br><b>database</b> 13:20<br>14:3,11,12 38:22<br>55:8<br><b>date</b> 9:3 10:16 13:3<br>15:7,8 19:10<br>22:11 29:6,8 30:3<br>30:9,10 31:24<br>32:1 33:4,5 39:4<br>40:23 43:1,8 45:6<br>45:16,19,21,22<br>52:2,4 67:19,20<br>67:21,22,23,25<br>68:5,20 72:20,22<br>72:22 73:2,5,6<br>77:18<br><b>dates</b> 8:24 19:8,11<br>19:14 31:10 67:19<br>68:11,13<br><b>Dave</b> 48:3 58:13<br>69:13<br><b>day</b> 13:4,21 14:14<br>15:13,13,14,14,21<br>15:21 22:13 30:8<br>30:11 61:11 76:14<br><b>days</b> 30:11,12 45:8<br>45:8,9,11<br><b>DB2</b> 13:19,22,25<br>14:4,5 15:23 16:4<br><b>dealing</b> 17:24<br><b>debt</b> 3:16 14:20<br>18:5,22 19:13,22<br>33:7 35:12<br><b>debtor</b> 44:1,12<br>59:21<br><b>decade</b> 64:5<br><b>decision</b> 49:21<br>73:10<br><b>defendant</b> 1:8 2:2<br>2:18 4:8 13:12<br>19:4 38:13,14<br>60:21,24 73:18<br><b>defendants</b> 60:18<br><b>DEF1</b> 60:15 61:4<br><b>DEF2</b> 60:15 | <b>deliver</b> 67:14<br><b>delivered</b> 67:14<br><b>delivers</b> 10:19<br><b>delve</b> 69:23<br><b>Department</b> 4:17<br>28:18<br><b>depending</b> 55:24<br><b>depends</b> 13:23 46:7<br>68:5<br><b>Deponent</b> 2:22<br>74:21<br><b>deposing</b> 58:7<br><b>deposition</b> 1:13 2:1<br>17:17,19,23 21:17<br>26:20 32:16 51:15<br>75:1 77:2<br><b>Depositions</b> 2:6<br><b>deputy</b> 52:6<br><b>describe</b> 12:17<br>25:22 50:18<br><b>described</b> 15:3<br>49:25<br><b>DESCRIPTION</b><br>3:11 77:7<br><b>designate</b> 17:23<br><b>detailed</b> 16:24<br><b>developed</b> 8:3<br><b>difference</b> 13:25<br>16:4 34:21 45:1<br><b>differences</b> 53:15<br><b>different</b> 13:20<br>19:14 30:13,14<br>31:10 43:4,6 45:6<br>45:25 46:1,10<br>53:12 57:24 60:23<br>61:11,12,13,23<br>68:17<br><b>difficult</b> 57:23,25<br>72:2<br><b>difficulty</b> 63:6<br><b>directly</b> 58:15,16<br><b>director</b> 4:17 5:8<br><b>disclaimer</b> 56:5<br><b>discrepancy</b> 62:22<br>62:25<br><b>discussing</b> 26:16<br><b>discussion</b> 20:21<br>32:16 35:6 46:14 | 69:19<br><b>disk</b> 10:7<br><b>dismiss</b> 49:1,9<br><b>dismissal</b> 29:22<br>47:21 49:10 59:20<br><b>dismissals</b> 47:18<br>55:13,14 64:13<br>65:3,6,16<br><b>dismissed</b> 9:1 20:7<br>20:12 22:16 23:25<br>24:9,15 25:10<br>26:1 28:10 29:15<br>30:1 31:22 32:10<br>33:7,22 34:12,12<br>34:18,19,19 35:3<br>47:17 48:19,25<br>49:5 51:7 60:12<br>61:7 64:17 65:1<br>66:7 67:2 68:22<br>70:2<br><b>dismisses</b> 15:15<br><b>displayed</b> 67:5<br><b>disposed</b> 52:2<br><b>disposition</b> 3:13<br>19:17,19,23 24:7<br>24:21 25:14 27:10<br>44:5 50:18 51:1<br>54:15 59:3 60:8<br>61:1,19 68:8,23<br>72:7<br><b>dispositional</b> 37:21<br><b>dispositions</b> 8:25<br>9:18 11:8 27:21<br>37:14,25 38:11<br>40:25 45:25 50:2<br>65:4 70:2<br><b>distinction</b> 34:5<br><b>district</b> 1:1,2 5:13<br>5:17,18 6:1,9,15<br>6:19,22 7:14,16<br>8:9,18 9:7,12,15<br>9:17,21,23 10:3<br>10:19 11:17,20<br>13:24 14:18,19,24<br>15:1 16:6,12 17:3<br>17:10 18:5,23<br>19:8 20:23 21:1,5<br>21:9 22:1,19,23 | 23:3,23 25:1,4,18<br>25:19 27:8,19<br>28:4,13 30:25<br>32:25 34:3 35:15<br>39:17,20,21,24,25<br>40:15,20 46:23<br>51:1 56:15 64:17<br>70:23,24,25 71:1<br>71:6,18,22 72:16<br>72:17 74:9<br><b>division</b> 1:3 22:22<br>23:3<br><b>DL1</b> 14:3,6<br><b>DMV</b> 5:3<br><b>docket</b> 7:19 15:17<br>15:18 74:1<br><b>docketing</b> 7:18<br><b>document</b> 18:2,16<br>20:22 22:8,24<br>24:3 26:24 27:4,7<br>27:25 29:3 35:2,5<br>43:9,17 51:19,23<br>51:25 60:14<br><b>documents</b> 3:12<br>18:10 21:7 34:2<br>35:10,13,16 51:1<br>56:21<br><b>dog</b> 55:4<br><b>doing</b> 39:5 49:16<br>50:22<br><b>Donna</b> 1:4 18:8<br>21:25 22:8 24:15<br>29:14 31:1 32:8<br>48:8 49:2 61:3,25<br><b>drives</b> 10:7<br><b>duly</b> 4:4<br><b>D-defendant</b> 27:14 |
| <hr/>   |  |   |   |  |
| <b>D</b>  |  |   |   |  |
| <hr/>   |  |   |   |  |
| <b>E</b>  |  |   |   |  |
| <hr/>   |  |   |   |  |
| <b>E</b> 1:25 2:3 3:2,10<br>4:5 54:1 70:16,17<br>76:2,21 77:25<br><b>earlier</b> 19:7 24:18<br>31:14 35:7 39:4<br>40:1 46:21 49:25<br>64:21 70:20<br><b>early</b> 6:6 7:21<br><b>East</b> 2:8,20  |  |   |   |  |

|   |  |   |  |  |
|---|--|---|--|--|
| <b>EASTERN</b> 1:2<br><b>Eddie</b> 48:3<br><b>either</b> 41:20 69:6<br>69:13<br><b>elected</b> 40:2<br><b>elimination</b> 66:11<br><b>employee</b> 7:16<br>22:19 23:2,22<br>24:25 25:18 26:3<br><b>employees</b> 25:3<br>27:8,18 28:4 58:7<br><b>enter</b> 7:16 8:10,18<br>8:22 9:7,13,17,22<br>11:7 17:7,11 21:6<br>21:12 25:19 27:1<br>27:19 28:5,6 42:7<br>42:11 45:15,19,21<br>45:22 46:7 49:9<br>49:22 67:12 72:20<br><b>entered</b> 7:19 14:25<br>15:5,6,7 19:24<br>20:11,22,25 22:14<br>22:17 23:23,24<br>24:25 25:14,16<br>29:22 32:5,8<br>38:13 39:17 41:2<br>47:2 49:6,7,21<br>61:16 67:3 71:1<br>73:5<br><b>entering</b> 17:9<br><b>enters</b> 15:15 17:6<br>23:3 35:14 72:22<br><b>entry</b> 15:6 27:2<br>66:5 72:11<br><b>Equifax</b> 1:7 4:8<br>58:7 63:22<br><b>equivalent</b> 37:25<br><b>era</b> 10:15<br><b>ERAUSQUIN</b> 2:13<br><b>erroneous</b> 47:4<br><b>error</b> 17:11,12 66:5<br><b>errors</b> 63:18<br><b>ESQ</b> 2:12,13,17,21<br><b>established</b> 49:13<br><b>estimate</b> 12:3<br><b>event</b> 54:23 76:12<br><b>events</b> 21:7 22:25<br>23:4,14 25:4,22 | 54:24<br><b>everybody</b> 7:5,6<br>30:5 65:22 74:4<br><b>evidence</b> 29:18<br><b>evolved</b> 8:3<br><b>exact</b> 10:16 12:4<br>29:6,8 39:4<br><b>exactly</b> 29:11 31:8<br>50:21<br><b>Examination</b> 3:5,6<br><b>examined</b> 76:7<br><b>example</b> 45:7 56:3<br>58:22 61:15<br><b>excuse</b> 19:21<br><b>Executive</b> 4:19<br><b>exhibit</b> 3:12,13,14<br>3:15,16 17:17,19<br>18:17 21:8,15,17<br>21:21 22:18 23:18<br>24:24 26:18,20<br>27:23 28:1,5 29:4<br>29:13 31:20,24<br>32:2,3,17,21 33:2<br>33:8,9 34:25,25<br>35:6,12,17 42:4<br>42:16 48:24 51:13<br>51:15 59:9,11<br>60:7 61:6 72:4<br><b>exhibits</b> 42:15<br><b>expanded</b> 7:5<br><b>expires</b> 76:4 77:22<br><b>explain</b> 37:17 38:1<br>45:1<br><b>extract</b> 40:18 | <b>favorable</b> 54:19<br><b>favorably</b> 49:7<br><b>February</b> 19:25<br>41:16<br><b>federal</b> 4:9<br><b>field</b> 60:8,17 61:1<br>63:9<br><b>fields</b> 15:25 16:17<br>53:19 57:21 60:24<br>63:3<br><b>fight</b> 55:4<br><b>figure</b> 65:12,13<br><b>file</b> 18:12 33:4<br>35:11 45:10 56:25<br>65:5 68:13<br><b>filed</b> 14:23 17:3<br>18:5<br><b>filing</b> 14:20<br><b>final</b> 19:19 23:7<br>25:1 35:9,22 48:5<br>61:11 64:20,22<br>66:11<br><b>finally</b> 35:19<br><b>financial</b> 7:24,25<br><b>find</b> 67:15 68:3<br><b>first</b> 4:4 6:7,7,8<br>8:22 10:13 11:19<br>12:22 14:12 15:22<br>18:21 19:10 22:25<br>24:22 27:24 32:23<br>32:24 59:2 60:7<br>70:20<br><b>five</b> 8:7,8,19 61:6<br><b>fix</b> 62:7 65:22,23<br><b>flow</b> 14:15 20:20<br>22:23 35:7,8,9,22<br><b>flows</b> 15:1<br><b>folder</b> 56:25<br><b>folders</b> 57:4<br><b>following</b> 25:14<br><b>follows</b> 4:4 52:2<br><b>follow-ups</b> 70:19<br><b>foregoing</b> 76:7<br><b>form</b> 26:9 54:25<br>57:16 66:12 67:6<br>69:3<br><b>fostered</b> 12:14<br><b>found/unserved</b> | 27:15<br><b>freedom</b> 55:21<br><b>full</b> 57:4 76:8<br><b>functions</b> 5:2 7:23<br><b>further</b> 56:19<br>74:21 76:9<br><b>future</b> 67:25   | <b>gives</b> 52:1,4 55:10<br>59:25 60:1 68:15<br><b>go</b> 5:4 7:13 10:14<br>13:11 14:2 16:20<br>17:22 21:4 27:23<br>31:9 32:3,3,13<br>36:12,16 41:20<br>42:4 43:6,7 46:14<br>50:6,13,15 56:6,9<br>64:19 68:12 69:15<br>70:7 73:10<br><b>goes</b> 17:2 25:19<br>35:10 50:11 67:19<br><b>going</b> 14:2,6 20:20<br>22:23 30:15 34:4<br>35:6 40:23,24<br>49:5,9,9 62:5<br>63:23 64:4,5<br>65:13 70:14<br><b>good</b> 36:9,9 54:5<br><b>gradually</b> 13:17<br><b>grants</b> 5:2<br><b>green</b> 59:4<br><b>grew</b> 56:14<br><b>guess</b> 12:14 36:11<br>49:21 70:14<br><b>Guide</b> 3:14<br><b>Gwenda</b> 1:25 2:3<br>76:2,21 77:25 |
|   | <b>F</b>   |   | <b>G</b>   | <b>H</b>   |
|   | <b>F</b> 70:16<br><b>fact</b> 43:23<br><b>facts</b> 29:18<br><b>failed</b> 67:13<br><b>fair</b> 8:2 20:17 25:23<br>61:18<br><b>familiar</b> 5:11,13,16<br>5:21 22:3 47:11<br><b>familiarity</b> 5:25<br><b>far</b> 73:13<br><b>favor</b> 61:22 62:2<br>67:4  | <b>five</b> 8:7,8,19 61:6<br><b>fix</b> 62:7 65:22,23<br><b>flow</b> 14:15 20:20<br>22:23 35:7,8,9,22<br><b>flows</b> 15:1<br><b>folder</b> 56:25<br><b>folders</b> 57:4<br><b>following</b> 25:14<br><b>follows</b> 4:4 52:2<br><b>follow-ups</b> 70:19<br><b>foregoing</b> 76:7<br><b>form</b> 26:9 54:25<br>57:16 66:12 67:6<br>69:3<br><b>fostered</b> 12:14<br><b>found/unserved</b>   | <b>GA</b> 2:17<br><b>gain</b> 5:25<br><b>garnishment</b> 44:9<br>59:21 60:4<br><b>garnishments</b> 60:5<br><b>gather</b> 36:7 38:5<br><b>gathering</b> 57:11<br><b>general</b> 2:20 5:12<br>5:17,18 6:1,9,15<br>6:19,22 7:14,16<br>8:8,18 9:7,9,11,15<br>9:17,21,23 10:3<br>10:19 11:17,19<br>13:10,24 14:17,18<br>14:24 15:1 16:6<br>16:12,18 17:3,10<br>18:5,23 19:7<br>20:23 21:1,5,8<br>22:1,19,22 23:2<br>23:22 24:25 25:3<br>25:18 27:8,19<br>28:4,13 30:25<br>32:25 34:3 35:15<br>39:20,21,24,25<br>40:15,20 46:23<br>51:1 53:20 56:14<br>70:22,24,25 71:1<br>71:6,18,22 72:17<br>74:9<br><b>generally</b> 5:13,16<br>5:21 18:4 20:15<br>34:6 45:11<br><b>generated</b> 20:20<br><b>getting</b> 12:12,12,15<br>56:13<br><b>give</b> 6:13 51:5<br>55:11,20 65:6<br>69:12 71:25<br><b>Given</b> 76:13 | <b>hand</b> 54:4 76:13<br><b>handle</b> 5:1 68:7,20<br>69:5<br><b>hands-on</b> 58:8<br><b>handwritten</b> 20:5<br>52:3<br><b>happen</b> 20:25<br><b>happened</b> 22:25<br>23:18,21 25:8<br>62:11 64:21 68:12<br><b>happens</b> 64:18 68:6<br>68:14<br><b>head</b> 12:6<br><b>heard</b> 45:5 50:17<br>50:20 51:21 52:13<br><b>hearing</b> 8:24 15:7,8   |



|  |  |   |  |  |
|--|--|---|--|--|
| 15:14 19:8,10,14<br>22:11,13 23:10,15<br>23:18,21,22,24<br>25:1,20,23 27:9<br>31:10 40:23,25<br>43:7 64:20,22<br>67:19,19,20,21,21<br>67:23 68:5,9,11<br>68:18 72:7<br><b>hearings</b> 41:3,11<br><b>held</b> 4:20 15:14<br>23:22<br><b>help</b> 18:17 47:19<br><b>helps</b> 34:17<br><b>history</b> 62:10<br><b>house</b> 73:23 74:6<br><b>hundred-dollar-...</b><br>44:4   | 28:19<br><b>individuals</b> 1:5<br>28:21 56:16 58:12<br>58:14,22<br><b>information</b> 1:7<br>4:18 6:13 7:15,20<br>8:4,10,14,17 9:8<br>9:10,18,21,25<br>10:3,9,19 11:2,8<br>11:15,17,19 12:2<br>12:9,18 13:10<br>14:16,25 15:19<br>16:2,5,9,10,11,15<br>16:22,23,24 17:4<br>17:10,13,25 18:19<br>19:2,3 20:25 21:6<br>21:12 22:4,17<br>23:3,23 24:24<br>25:20 27:10,20<br>28:5,15 33:17<br>35:7,8,20 36:15<br>36:15 37:13,19,22<br>38:5 39:1,9,16,19<br>40:3,5,13,19,21<br>41:5,22,23,25<br>42:1,8,11 45:15<br>45:24 46:6,8,15<br>46:18,19,21 47:2<br>47:3,10,14,24<br>48:2,6,9,14 49:23<br>50:2,7 52:21 53:3<br>53:6,7,8,9,13,14<br>53:15,16,20 54:14<br>55:21 56:9 57:12<br>63:11,16 72:17<br>74:7,9,12<br><b>initially</b> 30:23<br><b>initiated</b> 14:19<br><b>input</b> 62:19<br><b>inputted</b> 62:18<br><b>installed</b> 6:10<br><b>instance</b> 58:17 59:2<br>59:20 61:3,15<br>66:25<br><b>intent</b> 55:11<br><b>interest</b> 19:25<br>51:10<br><b>interested</b> 51:8 | 76:11<br><b>interface</b> 7:25,25<br><b>internet</b> 3:15 9:24<br>10:1,5,10,13,20<br>10:21,23 11:23,24<br>14:14 15:24 16:1<br>16:3,19,23 32:23<br><b>interrogatories</b><br>59:21<br><b>invoice</b> 55:18,22<br>56:1<br><b>invoices</b> 56:4<br><b>involved</b> 12:8<br>47:23 48:1<br><b>irregularly</b> 54:23<br><b>issue</b> 44:9<br><b>items</b> 57:22<br><b>I-dismissed</b> 27:15<br>28:2   | 55:12 57:14,18<br>59:3 60:20 61:16<br>61:22,23 62:2<br>64:11 65:4 66:8<br>66:11,16,17,22,24<br>67:2,3 72:14,19<br>73:5,24,25 74:1<br><b>judgments</b> 8:14,15<br>8:20,21 9:1,18,19<br>11:8,9 37:14,15<br>38:3,9,10,12<br>39:17 41:2,7,8<br>42:1 50:3,12 51:2<br>51:6 54:15 63:23<br>64:2 70:2,22 71:1<br>71:18,22 73:15<br><b>judgment's</b> 43:20<br>44:6<br><b>judicial</b> 28:18 69:4<br>69:12<br><b>July</b> 29:9<br><b>J&amp;DR</b> 6:9   | 47:13 49:25 50:25<br>52:9,11,12 53:3<br>54:11 55:2,5<br><b>KUGELMAN</b> 2:21<br>24:10 29:23 59:6<br>59:9 74:18 |
| <b>I</b>   | <b>J</b>   | <b>K</b>  | <b>L</b>   |  |
| <b>idea</b> 11:25 12:14,14<br>71:21<br><b>identification</b><br>17:20 21:18 26:21<br>32:17 51:16<br><b>identify</b> 21:21<br>26:24 32:20 51:19<br><b>imagine</b> 64:18<br><b>imperfect</b> 63:24<br><b>inaccurate</b> 62:8<br><b>include</b> 8:14 11:17<br>11:22 40:21 41:6<br>55:22 63:4,4,5<br>70:21<br><b>included</b> 8:5 40:5,8<br>40:14 41:5 60:5<br>64:23<br><b>includes</b> 71:12<br><b>including</b> 37:14<br>57:5<br><b>index</b> 32:24<br><b>indexed</b> 13:16,16<br><b>indexes</b> 14:5<br><b>indexing</b> 7:18<br><b>indicate</b> 19:23 24:6<br>25:4 43:3<br><b>indicating</b> 24:12<br><b>individual</b> 13:16 | <b>January</b> 23:9 40:24<br>41:3,14 61:16,18<br><b>JGMT</b> 42:20 72:11<br><b>JI</b> 24:19<br><b>job</b> 1:24 4:16 57:7<br>58:1 64:10 65:12<br>65:13<br><b>jobs</b> 57:21<br><b>JR</b> 2:21<br><b>judge</b> 15:9,15,17<br>34:10,13 49:3,6<br><b>judgment</b> 14:24<br>15:15 19:21,23<br>20:11 22:11,13<br>23:1 24:16 29:14<br>32:8 33:6 34:22<br>35:1 38:1,10,11<br>38:13,14 41:1,9<br>41:13 42:12,19,23<br>43:3,8,9,12,18,22<br>44:1,2,12,12,14<br>48:17,22 49:2,8<br>49:18,19 50:13,19<br>51:4,8,9,22 52:1<br>52:14 54:15,21,23   | <b>K</b><br><b>K</b> 1:4 32:9<br><b>keep</b> 37:8<br><b>keeping</b> 44:6<br><b>KEN</b> 1:14 2:1 3:4<br>4:3 77:3<br><b>kept</b> 56:25<br><b>kind</b> 22:15 64:16<br><b>KING</b> 2:16<br><b>knew</b> 30:10 73:13<br><b>know</b> 12:6,7 13:3,4<br>13:9,13 16:19<br>20:13,14 27:1<br>29:6,8 30:2,4<br>34:17 36:2 37:9<br>39:4 43:22,25<br>45:12 47:21 48:2<br>48:8 50:21,22<br>52:17,18 53:5<br>55:14,16 59:4<br>64:15,17,22 66:2<br>66:6 68:11 71:11<br>73:11,18,19,22<br><b>knowledge</b> 18:18<br>29:14 34:20 37:6 | <b>laptops</b> 56:17,18,20<br><b>large</b> 2:5 76:1,4,22<br><b>launched</b> 15:3<br><b>law</b> 12:24<br><b>lawsuit</b> 4:8 18:22<br>22:1 31:22 32:5<br>33:18 47:11<br><b>layers</b> 6:11<br><b>leading</b> 29:17<br><b>left</b> 24:21 42:6<br>44:19 60:8 61:1<br>72:10<br><b>left-hand</b> 19:18<br>27:12<br><b>legal</b> 50:23<br><b>Leonard</b> 2:12 54:3<br><b>letter</b> 24:3,6<br><b>letters</b> 27:13<br><b>let's</b> 7:13 8:2,7<br>14:15,17,23 21:4<br>26:17 44:18 46:14<br>61:9 66:18 67:13<br>70:7 72:1<br><b>level</b> 6:14 17:10,11<br><b>Lexis</b> 50:10<br><b>LexisNexis</b> 37:4,6<br>37:15 56:3 57:3<br>69:23<br><b>lien</b> 74:1<br><b>liens</b> 63:5<br><b>limitation</b> 63:9<br><b>limited</b> 10:11<br><b>line</b> 10:14 12:19<br>38:23 44:23 72:16<br>72:20<br><b>list</b> 4:25 36:11 38:4<br>38:5,7 48:5,9,13<br>49:11 50:4,5,8,10<br>50:14 56:16 57:7<br>57:15 58:1,2,3,5 |  |

|   |   |   |   |  |
|---|---|---|---|--|
| 58:16,18 63:18,21<br>65:3,18 74:7<br><b>lists</b> 36:12 57:3<br><b>LITIGATION</b><br>2:11<br><b>little</b> 6:13 26:17<br>39:3 66:4 68:10<br><b>LLC</b> 1:7<br><b>loaded</b> 16:6<br><b>local</b> 50:15<br><b>located</b> 26:8<br><b>long</b> 4:20 29:3 38:6<br><b>longer</b> 25:8 37:20<br>53:4 56:13 57:2<br><b>look</b> 13:2,11,11,12<br>14:11,11 16:2,20<br>16:25 22:10 24:2<br>24:22 26:17 27:3<br>27:12,23 32:7<br>36:16 41:20 42:5<br>42:14,16,18 45:18<br>50:13 51:25 61:12<br>61:17 71:24 72:3<br><b>looked</b> 23:6 28:2<br>35:6 38:24 61:10<br><b>looking</b> 18:16<br>24:17 66:6 69:16<br><b>looks</b> 17:2 50:11<br><b>lost</b> 13:5<br><b>lot</b> 7:23 15:12<br>28:21,24 50:10<br>68:18<br><b>Love</b> 2:17 3:5 4:6,7<br>17:22 18:1 21:20<br>24:13 26:23 30:19<br>32:13,19 36:19,22<br>37:2 47:8 51:18<br>53:23 54:25 57:16<br>62:17 66:12 67:6<br>69:3,15 70:13,18<br>74:15<br><b>lower</b> 24:21 | <b>Macon</b> 48:3 58:6<br><b>mail</b> 39:14<br><b>main</b> 2:20 16:4<br><b>maintained</b> 5:12,17<br>5:22 6:1<br><b>makers</b> 36:12 38:4<br>38:5,7 50:4,5,8,10<br>50:14 56:16 57:7<br>57:15<br><b>making</b> 19:4 44:1,3<br><b>Mamiko</b> 48:4<br>58:13 69:13<br><b>management</b> 6:10<br>6:12 7:24 8:1,1<br>9:11,12,15,23<br>10:4,20 11:7,13<br>11:14 15:2 16:1,7<br>16:13 21:1,9,13<br>21:23 23:4 27:2<br>27:20 28:15 30:5<br>35:15 40:11,15,19<br>42:12 46:22 47:2<br>62:19 63:10 67:5<br><b>manner</b> 39:2,7<br>45:23<br><b>March</b> 23:7,8<br>25:15 31:21,25<br>33:5 39:8<br><b>mark</b> 17:16 21:15<br>43:8 51:13 73:11<br><b>marked</b> 3:11 17:20<br>18:16 21:8,18,21<br>23:17 26:18,21<br>29:4,15,15 32:17<br>32:21 51:16 72:3<br><b>matches</b> 31:24,25<br>32:1 33:7<br><b>materials</b> 72:4<br><b>matter</b> 14:17 32:9<br>64:21<br><b>MATTHEW</b> 2:13<br><b>McGuire</b> 2:8<br><b>mean</b> 7:4 12:14<br>20:10,13 25:16<br>29:5 34:8,18<br>48:21 50:5,8<br>53:20 57:9 63:6<br>68:25 | <b>meaning</b> 50:20<br><b>means</b> 24:8,8 25:10<br>25:25 38:20 50:21<br>63:25 66:4 72:14<br><b>measure</b> 62:10<br><b>mechanical</b> 62:19<br><b>meet</b> 54:5<br><b>meetings</b> 5:4<br><b>mentioned</b> 16:9<br>19:7 40:1 70:20<br>71:5<br><b>met</b> 4:13<br><b>middle</b> 24:19 60:8<br>72:6<br><b>mine</b> 4:25<br><b>minute</b> 42:4 44:18<br><b>missed</b> 44:8 54:21<br>65:15<br><b>missing</b> 23:5,6<br><b>mistake</b> 30:17 47:1<br>65:14 66:20<br><b>mistakes</b> 65:14,20<br><b>Mittendorff</b> 1:14<br>2:1 3:4 4:3,7<br>17:19 21:17 26:20<br>32:16 51:15 77:3<br><b>moment</b> 32:14<br>69:16<br><b>money</b> 12:22<br><b>month</b> 38:18,19<br>41:10<br><b>monthly</b> 37:24<br><b>months</b> 38:18,19<br>41:15 44:14 54:7<br><b>motion</b> 49:1,8<br>59:20<br><b>motivated</b> 57:8<br><b>move</b> 8:2 13:22<br>14:7 36:19,22,25<br><b>moved</b> 6:9 13:19<br><b>moves</b> 14:16<br><b>multiple</b> 9:10 60:17 | <b>necessarily</b> 29:20<br><b>need</b> 55:25,25<br>73:20<br><b>needs</b> 30:6<br><b>neither</b> 76:9<br><b>never</b> 4:13 18:14<br>29:15 51:20 57:8<br>70:1<br><b>new</b> 14:4 39:17<br>41:6,20 55:7 68:5<br>68:20<br><b>Newport</b> 2:12<br>56:15<br><b>News</b> 2:12 56:15<br><b>next-to-last</b> 32:4,7<br><b>nifty</b> 68:10<br><b>night</b> 10:7 14:10<br>15:23 16:5<br><b>nonresponsive</b><br>36:20,23<br><b>normally</b> 5:9 34:13<br><b>notarial</b> 76:13<br><b>Notary</b> 2:3 76:3,21<br>77:21<br><b>notation</b> 20:11<br><b>note</b> 9:5 20:16<br>42:24 44:23 61:6<br><b>noted</b> 26:5,6,8,10<br>26:12 29:21 45:2<br>45:10,16 46:12<br>58:23 59:22 61:23<br><b>notes</b> 20:6 52:3<br>69:16<br><b>notice</b> 2:6 72:23<br>73:2,6,21,22<br><b>notifies</b> 44:15<br>72:18<br><b>November</b> 76:5<br><b>number</b> 1:6 3:11<br>12:4,5,6 15:4<br>17:19 19:11 21:17<br>22:12 25:21 26:20<br>32:17 51:15 54:18<br>55:15 59:12,17,25<br>60:1 71:11 76:23<br><b>numbers</b> 55:14,17<br>71:4,10,17,24,25<br><b>N-nonsuit</b> 27:15 | <b>N.E</b> 2:16<br><hr/> <b>O</b><br><hr/> <b>O</b> 4:5 49:22 54:1<br>70:17<br><b>Object</b> 54:25 57:16<br>66:12 67:6 69:3<br><b>Objection</b> 29:17<br><b>obtain</b> 63:25<br><b>obtained</b> 30:21,24<br><b>obtaining</b> 53:6<br><b>occur</b> 57:24 73:14<br><b>occurred</b> 22:12<br>23:14 25:5,22<br>40:25 48:25 64:16<br>73:2 74:4<br><b>occurs</b> 23:1 30:16<br>51:9 68:8<br><b>October</b> 1:15 2:7<br>4:1 76:14 77:4<br><b>office</b> 2:20 4:19 5:2<br>15:20 17:6 28:12<br>28:24 37:13 39:1<br>40:18 62:21 73:13<br>73:18 74:4<br><b>official</b> 10:12 55:23<br>56:8,8 69:1<br><b>oftentimes</b> 14:19<br><b>oh</b> 42:16 69:10<br>73:12<br><b>okay</b> 6:24 7:3 10:6<br>12:17 15:4 20:19<br>22:10 23:9,12,17<br>24:15,23 25:25<br>26:11 27:6 28:22<br>28:25 30:17,23<br>31:5,9,20 32:22<br>33:15 34:24 36:5<br>37:8,11,20 43:2<br>43:11,25 45:6<br>47:13 48:23,24<br>49:8,17 50:23<br>52:13 54:8 55:15<br>64:13 65:21 66:16<br>70:6 72:5 73:21<br>74:6,17<br><b>old</b> 14:1,2,3<br><b>once</b> 15:8,22 56:17 |
|---|---|---|---|--|

|   |   |   |  |   |
|---|---|---|--|---|
| <b>ones</b> 40:11 51:7,8<br>64:24 71:13<br><b>one's</b> 57:20 70:5<br><b>open</b> 44:14 67:20<br>67:23<br><b>opt</b> 11:21 40:4<br><b>opted</b> 12:1<br><b>option</b> 28:6<br><b>order</b> 17:24 20:6<br>32:4 34:9,9,19<br>35:12<br><b>ordered</b> 32:8 41:1<br><b>orders</b> 56:24<br><b>original</b> 22:10 49:2<br>55:11 59:23 60:3<br><b>output</b> 61:11<br><b>outside</b> 46:8 72:18<br><b>outstanding</b> 73:24<br><b>overall</b> 60:25<br><b>overlay</b> 63:23<br><b>overnight</b> 13:21<br>39:14<br><b>O-other</b> 27:16  | 30:8 47:3 49:4<br>68:9<br><b>parties</b> 15:5 68:4<br><b>parts</b> 9:11<br><b>party</b> 76:10<br><b>pattern</b> 57:1<br><b>PAUL</b> 2:21<br><b>pay</b> 44:1 52:23<br><b>paying</b> 44:13<br><b>payment</b> 44:4<br><b>payments</b> 44:1,7,7<br><b>Peachtree</b> 2:16<br><b>pending</b> 4:9<br><b>people</b> 5:1 10:10<br>12:12 13:2,4<br>36:10,10,11,13<br>38:6 51:6,11<br>52:18 64:12 66:6<br><b>percent</b> 19:25<br>55:15,16,16 70:21<br>71:2,6,14,16<br><b>percentage</b> 11:25<br>71:17,21<br><b>perfected</b> 26:10,14<br>44:25 45:2,20<br>46:12 56:24<br><b>period</b> 7:13 41:1<br>44:13<br><b>periods</b> 46:11<br><b>person</b> 19:1 22:17<br>54:5<br><b>personal</b> 16:2,10<br>16:23 17:25<br><b>personnel</b> 12:12<br>17:9<br><b>perspective</b> 62:6<br><b>perusing</b> 35:2<br><b>Petersburg</b> 57:5<br><b>phone</b> 4:10<br><b>pick</b> 50:1 57:7<br>62:22<br><b>picked</b> 54:22,24<br>57:1,8 62:24<br><b>picture</b> 30:6,7<br>31:16,17 41:14<br>55:10<br><b>pilot</b> 7:4 13:7<br><b>place</b> 26:8 42:19,21 | <b>placed</b> 38:3,4<br><b>plaintiff</b> 18:9 19:2<br>43:17 44:8 61:21<br>61:22 62:3 66:23<br>67:4 72:18 73:17<br>73:20<br><b>Plaintiffs</b> 1:6 2:14<br><b>plaintiff's</b> 62:7<br><b>please</b> 4:15 10:2<br>42:5<br><b>plus</b> 24:20<br><b>point</b> 17:22 37:13<br>57:12<br><b>police</b> 5:3<br><b>policies</b> 49:13<br><b>policy</b> 49:15<br><b>portals</b> 11:1<br><b>portion</b> 10:22,23<br>38:7<br><b>portions</b> 36:20,22<br>36:25<br><b>position</b> 4:21,24<br><b>possible</b> 31:9 44:11<br>57:25 60:20 65:21<br>66:17<br><b>post-judgment</b><br>54:18,24 57:14<br>59:19<br><b>potentially</b> 66:3<br><b>practicing</b> 56:12,14<br><b>prejudice</b> 20:7,12<br>29:22 32:10<br><b>preparing</b> 17:4<br>47:23 48:1 58:9<br><b>prepay</b> 13:8<br><b>presume</b> 61:18<br><b>previous</b> 66:11<br><b>primarily</b> 7:18,20<br>12:8 16:21 51:8<br><b>principally</b> 68:14<br><b>print</b> 21:23,25<br>29:19 30:1 33:14<br>56:23<br><b>prior</b> 18:9 57:12<br>73:2<br><b>probably</b> 5:4 10:15<br>12:4 29:7 39:3<br>50:10,21 65:14 | <b>problem</b> 5:6 64:9<br>65:2,7,8,11,11,22<br>65:23 66:5 73:22<br><b>problems</b> 5:1,4<br><b>procedure</b> 2:6<br>69:12<br><b>procedures</b> 49:13<br><b>proceeding</b> 76:11<br><b>process</b> 22:24<br>37:18 43:4 52:25<br>54:17 57:11 63:24<br>66:21<br><b>processor</b> 10:6<br><b>procure</b> 12:22<br><b>procurement</b> 5:10<br><b>procuring</b> 12:12<br><b>produce</b> 65:3<br><b>produced</b> 48:6,9<br>58:17,25 62:12,14<br><b>production</b> 10:8<br><b>proffer</b> 54:10<br><b>project</b> 12:24 13:7<br><b>properly</b> 67:5<br><b>protective</b> 17:24<br><b>provide</b> 37:13,21<br>47:10 50:16 66:4<br><b>provided</b> 27:8<br>41:22 46:15 49:23<br>53:16 62:9 65:5<br><b>providing</b> 39:1,6<br>40:5,6 63:11<br><b>public</b> 2:4 13:1,4<br>18:18 34:2 35:21<br>36:1,2,6 37:3,14<br>39:1,9 46:15<br>49:24 50:1 51:3<br>52:11,22,23 53:4<br>53:5 56:15 76:3<br>76:21 77:21<br><b>purchase</b> 69:25<br>70:1 74:6<br><b>purchased</b> 10:6<br><b>purposes</b> 73:4<br><b>pursuant</b> 2:5<br><b>put</b> 6:7,8 8:23,25<br>8:25 9:2 11:24<br>13:20 14:10 15:18<br>20:14 34:12,18 | 36:8 42:19,21,24<br>42:24,25 43:8<br>49:20 51:1 52:10<br>63:15 66:7,7 68:4<br>68:8,11,17 69:6<br>73:11<br><b>P-plaintiff</b> 27:14<br><b>P.C</b> 2:11 |
| <b>Q</b>  |   |   |  |   |
| <b>question</b> 25:17<br>29:17,23 34:8<br>50:12 62:17 67:7<br>69:13<br><b>questioned</b> 57:9<br><b>questions</b> 35:25<br>53:24 55:19,22<br>70:13 74:15<br><b>quick</b> 74:5<br><b>quite</b> 15:11 71:16   |   |   |  |   |
| <b>R</b>  |   |   |  |   |
| <b>R</b> 70:16,16<br><b>ran</b> 41:15 58:1 66:2<br>66:3 71:4,10,11<br><b>rate</b> 19:25<br><b>read</b> 51:20<br><b>reading</b> 20:13<br><b>real</b> 74:5<br><b>realize</b> 73:24<br><b>really</b> 5:5 16:19<br>57:25 73:13<br><b>reason</b> 7:9 43:21<br>44:11 48:19 66:19<br>73:7,8,9<br><b>recall</b> 54:7,8<br><b>received</b> 9:4 37:8<br>43:9,17,19 56:4,5<br>63:22 72:23 73:2<br><b>receives</b> 72:17 73:6<br><b>Recess</b> 70:10<br><b>recognize</b> 18:4 31:7<br><b>record</b> 10:12 15:19<br>20:17,19,22,23<br>32:14,16 36:1,2,6<br>36:19 38:23 43:7<br>45:24 46:15 49:6<br>49:24 51:3 52:11<br>52:22,23 53:5,5 |   |   |  |   |
| <b>P</b>  |   |   |  |   |
| <b>P</b> 61:21,24 62:4<br>64:25<br><b>page</b> 19:10 27:4,7,7<br>27:13,24 32:4,24<br>33:3 34:25 42:5<br>42:15,17,18 44:19<br>59:3,16 60:7 61:6<br>72:6,6<br><b>PAGE/LINE</b> 77:7<br><b>paid</b> 73:19<br><b>papers</b> 15:16,21<br>16:25 17:2 50:13<br>56:24<br><b>paperwork</b> 74:5<br><b>part</b> 5:5 7:21 20:8<br>32:11 47:10,22<br>57:10 58:8,18<br>60:3<br><b>participate</b> 40:3<br><b>participated</b> 58:8<br><b>participating</b> 40:4<br><b>particular</b> 7:9<br>19:15,21,22 28:19  |   |   |  |   |

|   |  |   |   |   |
|---|--|---|---|---|
| 55:23 56:15 57:10<br>59:3 62:1,21 63:1<br>69:15,19 70:7<br><b>recorded</b> 73:25<br><b>records</b> 5:11,14,17<br>5:22 6:1 8:1,1,11<br>8:13 18:8,18 34:3<br>34:10,20 37:3,8,8<br>37:14 38:24 39:2<br>39:8,10 44:6,15<br>46:8 50:1 52:5<br>54:14,16 62:11<br><b>recreate</b> 31:17<br><b>reflected</b> 17:13<br>18:20 22:18 24:23<br>28:1 35:16 68:22<br><b>reflects</b> 22:8,24<br>23:14,18<br><b>refresh</b> 38:21<br><b>Registration</b> 76:23<br><b>regret</b> 54:6<br><b>regularly</b> 54:22<br><b>related</b> 76:10<br><b>relevant</b> 46:11<br><b>Remarks</b> 16:15,16<br><b>remember</b> 56:18<br>56:19<br><b>removed</b> 74:3<br><b>reopened</b> 33:6<br><b>reopening</b> 66:10<br><b>rephrase</b> 25:17<br><b>replace</b> 31:15<br><b>replicate</b> 13:19<br>14:9,10,13<br><b>report</b> 36:8,13 41:3<br>52:13,14,16 56:22<br>65:25<br><b>reported</b> 1:25<br>31:21 33:22,24<br>38:15 77:25<br><b>Reporter</b> 2:3 76:2<br><b>reporting</b> 54:19<br>62:7 63:23<br><b>represent</b> 4:8<br><b>represented</b> 35:11<br><b>represents</b> 33:16<br>35:8<br><b>request</b> 37:24 | 38:20,21 48:14<br>58:9 64:9<br><b>requested</b> 30:24<br>47:9,14 63:8<br>69:25 74:8 77:2<br><b>required</b> 12:20<br>63:7,8<br><b>requirements</b> 45:7<br><b>research</b> 50:16<br><b>respect</b> 57:11 60:21<br><b>response</b> 58:9<br><b>responsibilities</b><br>4:23<br><b>responsive</b> 37:1<br><b>restore</b> 14:14<br><b>results</b> 14:24<br><b>review</b> 29:13 56:21<br><b>reviewed</b> 18:8<br>62:25<br><b>revised</b> 29:9<br><b>re-hearing</b> 22:14<br>23:6 33:6<br><b>re-ran</b> 41:17<br><b>Richmond</b> 1:3,17<br>2:8,21 4:9 5:12<br>22:1,19,22 23:2<br>24:25 25:18 30:25<br>32:24 57:5<br><b>right</b> 4:11,15 5:7<br>6:23 17:5,8 18:11<br>19:5,11 21:2,9,13<br>23:5 24:11,17,18<br>24:19,20 25:5,8<br>25:11,15 26:4,13<br>26:15 27:3 28:2,7<br>29:2,24 31:23<br>32:13,20 33:9<br>35:2,5,9 36:18<br>37:12 40:1 42:21<br>43:5 44:3 46:4,24<br>49:23 51:12 53:1<br>53:23 55:5 58:21<br>59:7 60:14 61:4<br>61:25 63:17,19<br>64:14 67:22 68:25<br>72:5,8,9,12,13,15<br>73:1<br><b>right-hand</b> 19:9 | 24:2 27:4<br><b>role</b> 12:18<br><b>rough</b> 11:25<br><b>RPR</b> 1:25 77:25<br><b>rude</b> 54:4<br><b>Rule</b> 2:5<br><b>Rules</b> 2:5<br><b>run</b> 40:24,24 52:16<br>52:16,19 57:25<br>58:2,3 65:6,12,13<br>71:17<br><b>running</b> 12:21<br><b>runs</b> 74:5<br><hr/> <b>S</b><br><b>S</b> 3:10<br><b>SAITH</b> 74:21<br><b>sample</b> 72:7<br><b>Sandra</b> 52:5<br><b>SAT</b> 42:20 72:12<br><b>satisfaction</b> 9:3,4<br>44:16 56:23 58:23<br>72:23,25 73:1<br><b>satisfactions</b> 8:15<br>8:20 41:6 54:20<br>56:22 57:23 71:14<br>72:2<br><b>satisfied</b> 41:8,9,15<br>41:16,19 42:9,13<br>42:19,23,24,25<br>43:4,8,10,13,18<br>43:20,22 44:6,12<br>45:25 46:4,6<br>47:17,20 48:18<br>52:14 55:16 58:1<br>71:5,10 72:14,19<br>73:5,11,15,16,17<br><b>satisfieds</b> 55:8,9<br><b>Savage</b> 48:4 58:13<br>69:13<br><b>saw</b> 58:18<br><b>saying</b> 23:12 49:8<br><b>says</b> 19:10 20:6<br>24:19,21 26:7,9<br>26:12 28:2 31:25<br>32:8 34:10,11,18<br>36:25 42:8,20<br>52:1,4,5 56:7 | 59:14,17 60:14<br>62:1 72:11<br><b>schedule</b> 67:25<br><b>screen</b> 3:15 21:23<br>21:25 22:3,5 23:8<br>23:14,17 27:2<br>29:6,19,25 30:9<br>30:10,20,24 31:3<br>31:10,12,18 32:22<br>33:3,10,14 35:17<br>41:4 45:18 61:10<br>61:12,17 72:7,8<br>72:10<br><b>seal</b> 76:13<br><b>second</b> 10:9 14:11<br>15:14 22:24 23:1<br>33:2,3 59:16 70:8<br><b>Secretary</b> 4:19<br><b>section</b> 19:13,23<br>26:11<br><b>see</b> 12:25 13:1 20:5<br>20:6,7 24:3,4<br>27:16 32:10 41:13<br>41:16,17,18 44:3<br>48:5 52:6 59:14<br>60:15 64:25 65:1<br>65:17 73:15<br><b>seen</b> 18:2,11 58:16<br><b>select</b> 35:20<br><b>sell</b> 50:14<br><b>selling</b> 57:3<br><b>send</b> 37:24,24,25<br>55:18<br><b>sending</b> 38:18<br><b>sent</b> 39:8,14 53:4<br><b>sentence</b> 32:7<br><b>separate</b> 23:15<br>34:24<br><b>September</b> 33:11<br>33:12,13,13,19,21<br><b>sequential</b> 60:1<br><b>service</b> 52:23 66:19<br>66:20,21,23 67:17<br>67:18,24 68:1,1<br><b>services</b> 1:7 28:18<br>50:15 69:5,12<br><b>session</b> 69:10<br><b>set</b> 6:14,21,24 7:14 | 8:24 15:8,8,10<br>19:9 32:10 34:6<br>34:22 35:3 42:2<br>45:4 52:2 67:20<br>68:20 71:23<br><b>setting</b> 8:15<br><b>settled</b> 9:1 51:7<br><b>settlements</b> 51:10<br><b>set-aside</b> 34:25<br><b>seven</b> 57:1<br><b>shaken</b> 54:4<br><b>sheet</b> 15:17,18<br><b>shot</b> 22:4,5 23:8,14<br>23:17 29:6 30:9<br>30:10,20 31:12,18<br>33:4,10 35:17<br>45:18 72:7,11<br><b>shots</b> 3:15 30:25<br>31:3,10 32:22<br>41:4<br><b>show</b> 17:16 21:15<br>27:20 42:12 43:19<br>51:12 55:13<br><b>showing</b> 29:20<br><b>shown</b> 11:23 21:7<br>23:10 28:5 29:25<br>35:4 42:15 48:24<br>49:10<br><b>shows</b> 27:9 32:23<br>32:25 33:4,5<br>35:19 44:14 48:24<br>68:14<br><b>side</b> 19:9,18 62:7<br>66:6 68:11<br><b>sign</b> 5:9,9<br><b>signature</b> 52:6<br>74:23 77:19<br><b>signed</b> 15:16<br><b>significant</b> 54:18<br><b>similar</b> 41:4<br><b>Similarly</b> 1:5<br><b>sir</b> 4:15 14:18<br>18:11 24:14 26:24<br>27:3 32:20 35:5<br>35:25 36:18 40:1<br>40:13 45:1 51:12<br>52:13 54:3 74:16<br><b>site</b> 10:11 |
|---|--|---|---|---|

|  |  |  |   |   |
|--|--|--|---|---|
| <b>Situated</b> 1:5<br><b>six</b> 57:1<br><b>slow</b> 7:6<br><b>small</b> 58:24<br><b>solve</b> 4:25 5:4 65:9<br><b>solving</b> 65:11<br><b>somebody</b> 30:12<br>34:11 36:14 43:23<br>44:2 45:3 47:18<br>50:11 65:5,12<br>66:5 69:11 73:12<br>73:14,23 74:2<br><b>somebody's</b> 16:2<br>37:24<br><b>somewhat</b> 64:10<br><b>sorry</b> 36:21 42:17<br>47:21 59:4<br><b>sort</b> 58:8 60:25<br><b>source</b> 64:6 72:18<br><b>Soutter</b> 1:4 3:12<br>18:9,14 19:24<br>20:3 24:15 32:9<br>33:1 48:8 49:3<br>59:2 61:3,25<br><b>Soutter's</b> 18:12<br>21:25 22:9 29:14<br>31:1 32:5 33:10<br>33:17 47:9,14<br>74:8<br><b>space</b> 42:22<br><b>SPALDING</b> 2:16<br><b>speak</b> 20:22 34:14<br>37:22 52:20<br><b>specific</b> 58:19<br><b>spoke</b> 4:10 24:18<br>54:6 58:6<br><b>spoken</b> 18:14 57:6<br><b>stamp</b> 52:4<br><b>stamps</b> 52:1,7<br><b>start</b> 39:1<br><b>started</b> 6:5 7:4,12<br>12:24 13:7 18:22<br>19:1 33:13 37:18<br>38:18 39:5 57:2<br>60:1<br><b>state</b> 5:3,3,19,23<br>6:2 13:13,16<br>28:22 37:12 38:25 | 47:10 58:17 64:1<br><b>statement</b> 57:9<br><b>statements</b> 69:22<br><b>STATES</b> 1:1<br><b>statistic</b> 70:22<br><b>status</b> 60:11,24<br>61:11 62:12 64:2<br><b>step</b> 21:4,5 22:24<br>22:25 23:2 35:9<br>35:13,13,22<br><b>steps</b> 12:20<br><b>sticker</b> 59:5<br><b>stipulate</b> 47:7<br><b>stop</b> 39:6<br><b>stopped</b> 52:25<br><b>Street</b> 2:8,16,20<br><b>strike</b> 36:20,22,25<br>46:20 50:17,20<br>52:5<br><b>study</b> 6:7<br><b>stuff</b> 5:10 52:19<br>67:10<br><b>sub</b> 50:10<br><b>subject</b> 17:23<br><b>subsequent</b> 48:16<br>60:3,4<br><b>subset</b> 58:24 59:22<br><b>substantial</b> 53:15<br><b>suffix</b> 33:3 59:24<br>60:2<br><b>suggested</b> 61:10<br><b>suggesting</b> 62:8<br><b>Suite</b> 2:11<br><b>summons</b> 13:6<br>59:22<br><b>supervise</b> 58:14<br><b>support</b> 14:3<br><b>supported</b> 14:5,6<br><b>suppose</b> 67:13<br><b>supposed</b> 13:5<br><b>supreme</b> 4:18 6:4<br>10:24 11:2,16<br>12:9 17:1,14<br>33:19 35:20 49:14<br>63:10 65:25 69:25<br><b>sure</b> 4:20 38:19<br>45:13 47:18 59:6<br>67:9 | <b>sworn</b> 4:4 76:6<br><b>system</b> 6:14,16,21<br>6:24 7:14,17,24<br>8:3,10,19 9:6,8,10<br>9:11,12,16,16,23<br>10:4,18,20 11:7<br>11:12,13,14 13:23<br>14:1,17 15:2,2<br>16:1,7,7,13 17:7<br>17:12 21:1,9,13<br>21:24 23:4 27:20<br>31:19 35:16 40:12<br>42:12 46:7 47:3<br>62:19 63:10 64:2<br>66:1 67:5 70:1<br><b>systematically</b><br>54:22,24<br><b>systems</b> 4:18 6:7,8<br>6:10,12 7:4,11<br>28:15 29:14 40:15<br>40:19 46:23 64:1<br><hr/> <b>T</b><br><b>T</b> 3:10 4:5 54:1<br>70:16,17<br><b>take</b> 2:6 14:9,17<br>26:17 27:3 30:6<br>72:3<br><b>taken</b> 2:1 61:22<br>77:4<br><b>talk</b> 8:7 44:18<br>65:19 66:9 72:1<br><b>talked</b> 42:6 48:3<br>72:1,11<br><b>talking</b> 24:10 26:11<br>33:18 41:2 46:16<br>51:23 67:10<br><b>tapes</b> 41:9,11<br><b>task</b> 58:19<br><b>tax</b> 63:4<br><b>technical</b> 63:9<br><b>telephone</b> 54:7<br><b>tell</b> 4:16 10:2 14:25<br>22:8,11 29:11<br>31:6 34:16 37:10<br>63:20 65:11 69:9<br><b>tells</b> 44:2 59:25<br>60:2 | <b>ten</b> 4:22 10:16 29:7<br>30:11 45:9,11<br>56:13<br><b>term</b> 50:23<br><b>terminal</b> 15:20<br><b>termination</b> 9:19<br><b>testified</b> 4:4<br><b>testimony</b> 76:8<br><b>Thank</b> 53:24 74:16<br>74:19<br><b>thereof</b> 76:12<br><b>they'd</b> 36:16 45:18<br>45:22<br><b>thing</b> 8:22 14:7<br>30:5 34:7 41:13<br>43:16 45:20 52:9<br>65:17 67:15 68:10<br>68:12<br><b>things</b> 6:18 12:23<br>65:10<br><b>think</b> 18:21 24:10<br>47:19 51:21 52:15<br>53:18 61:9 65:8<br><b>third</b> 15:14<br><b>thought</b> 66:20<br><b>three</b> 6:11 7:7,9<br>24:23 27:24 40:12<br>45:24 47:20<br><b>ticket</b> 13:8<br><b>time</b> 4:10 7:7,13,17<br>7:21 15:10 19:10<br>38:6 41:1 43:6<br>46:10 56:14 61:12<br>62:1,5 63:7 67:13<br>70:13<br><b>times</b> 15:12 57:24<br>68:19<br><b>title</b> 4:16<br><b>today</b> 4:13 7:22<br>18:9 62:12 64:3<br>70:4<br><b>Tony</b> 4:7 24:11<br><b>tool</b> 26:25 29:12<br><b>tools</b> 62:6<br><b>top</b> 12:6 24:19<br>59:11 60:14 61:4<br>61:25<br><b>tough</b> 5:5 | <b>traffic</b> 9:13 13:8<br><b>trail</b> 20:21<br><b>training</b> 26:25 27:7<br>28:13,17,23,24<br>29:11 69:10 72:4<br><b>transcribed</b> 2:2<br><b>transcript</b> 37:1<br>76:8<br><b>transmitted</b> 37:19<br>39:9<br><b>travel</b> 28:22<br><b>treated</b> 34:6<br><b>trial</b> 66:18,22,24<br><b>tried</b> 67:3<br><b>tries</b> 73:23 74:5<br><b>true</b> 4:12,14 14:22<br>37:16 45:12 53:2<br>65:24 70:4 76:7<br><b>try</b> 14:15 36:8<br>38:19 62:6,7<br><b>trying</b> 63:21 65:9<br>65:13 67:24<br><b>two</b> 7:25 11:18<br>30:11 32:25 35:14<br>38:18,19 41:15<br>46:10 51:25 52:7<br>58:7 71:13<br><b>type</b> 7:15 18:19<br>19:2 20:16,19<br>22:3,4 25:7 28:15<br>51:23 52:9 53:6<br><b>typed</b> 37:1<br><b>types</b> 5:25 6:18<br>8:17 35:13 45:25<br>46:20 48:15<br><hr/> <b>U</b><br><b>U</b> 70:16<br><b>Uh-huh</b> 24:5 27:17<br>35:18 59:13<br><b>ultimate</b> 29:20<br><b>understand</b> 14:16<br>18:17 20:16 30:6<br>54:9 55:3 58:6<br>66:10<br><b>understanding</b><br>36:5 57:13<br><b>uniformity</b> 73:4 |
|--|--|--|---|---|

|                            |                            |                           |                             |                           |
|----------------------------|----------------------------|---------------------------|-----------------------------|---------------------------|
| <b>UNITED</b> 1:1          | 69:24                      | <b>ways</b> 46:1 68:7,20  | <b>wouldn't</b> 20:13       | <b>115863</b> 76:23       |
| <b>unusual</b> 64:16       | <b>verbiage</b> 25:8       | <b>web</b> 10:11 12:1     | 34:12 38:7,23               | <b>1180</b> 2:16          |
| <b>update</b> 3:13 43:6    | <b>versus</b> 34:15 53:21  | 13:9 15:2 16:7            | 43:7,19 49:10               | <b>12515</b> 2:11         |
| 72:7                       | 66:8                       | 18:10 37:9 40:3           | 62:21 64:21 67:12           | <b>15</b> 55:16,16 71:5   |
| <b>updates</b> 38:20       | <b>Virginia</b> 1:2,17 2:4 | 41:18,21 53:7,8           | <b>write</b> 19:3,14,19     | <b>15.75</b> 71:15        |
| <b>upper</b> 24:2,11 27:4  | 2:9 4:9,19 5:13,19         | 53:16,21 56:7,7,8         | <b>written</b> 15:16 34:9   | <b>16</b> 55:16 71:6,16   |
| <b>UPS</b> 39:15           | 5:23 6:3 8:9,18            | <b>website</b> 10:24 11:3 |                             | <b>17</b> 3:12            |
| <b>use</b> 6:16 8:10 9:7,8 | 9:17,22 10:24              | 11:16 12:10,19            | <b>X</b>                    | <b>1984</b> 6:8           |
| 9:17 10:8 12:1             | 11:2,6,16 12:10            | 16:11,14 17:5,14          | x 3:2,10 4:5 42:22          | <b>1995</b> 7:7           |
| 17:4 25:4,7,22             | 12:19 17:1 18:6            | 33:19 35:20,22            | 45:17 54:1 70:17            |                           |
| 26:4 27:19 29:7            | 18:18,23 20:24             | 36:14                     |                             | <b>2</b>                  |
| 37:9 42:7 43:3             | 25:19 34:3,4,21            | <b>websites</b> 36:8      | <b>Y</b>                    | <b>2</b> 3:13 21:15,17,22 |
| 55:20,24 67:10             | 34:21 35:20 36:1           | <b>web-based</b> 12:9,18  | <b>yeah</b> 16:8 31:23      | 23:18 24:24 27:23         |
| 71:25                      | 37:12 38:25 40:16          | <b>weekly</b> 56:22       | 42:16 64:7 68:7             | 28:5 29:13 31:20          |
| <b>User's</b> 3:14         | 49:14 56:4 59:19           | <b>went</b> 10:10 12:19   | 68:17 69:11                 | 35:17 42:16 48:24         |
| <b>usually</b> 5:6 15:16   | 71:2 74:10,13              | 38:23 41:17 56:1          | <b>year</b> 29:10 33:11     | 59:9,11 60:7              |
| 23:13 30:15,17             | 76:1,4,14,22               | 73:14                     | 33:14,15 60:1               | <b>20</b> 12:4 31:21      |
| 43:5 45:9                  |                            | <b>weren't</b> 7:10 57:19 | <b>years</b> 4:22 6:5 8:3,7 | <b>20th</b> 23:7,8 31:25  |
| <b>U-not</b> 27:15         |                            | 68:2                      | 8:8,19 10:6,17              | 33:5                      |
|                            | <b>W</b>                   | <b>we'll</b> 21:15 26:16  | 29:5,8 56:13 57:1           | <b>2000</b> 10:15 11:16   |
| <b>V</b>                   | <b>waiting</b> 16:5        | 51:12 65:11               | 71:8,14                     | 12:19 15:3 33:12          |
| <b>v</b> 1:6               | <b>WAIVED</b> 74:23        | <b>we're</b> 17:24 33:17  | <b>year's</b> 38:21         | 39:3 71:10                |
| <b>VA</b> 2:12,21          | <b>walk</b> 22:7           | 41:1 49:5,9,9             | <b>yesterday</b> 71:10      | <b>2007</b> 13:24 19:25   |
| <b>vacate</b> 49:1 59:21   | <b>want</b> 11:23 13:9     | 55:19,20 62:8             |                             | 31:18 33:13 73:13         |
| 60:21 66:7,16              | 14:15 16:24 35:25          | 63:21,23                  | <b>\$</b>                   | 73:17                     |
| 68:3                       | 36:15 54:4 64:12           | <b>we've</b> 4:13 57:6    | <b>\$14,403.79</b> 19:24    | <b>2008</b> 25:15 31:18   |
| <b>vacated</b> 20:7,11     | 65:7 69:22                 | 64:4                      | <b>\$48</b> 20:3            | 31:21 33:5 71:4           |
| 28:7,9 29:15,21            | <b>wanted</b> 12:23,25     | <b>whichever</b> 39:22    | <b>0</b>                    | 71:12                     |
| 33:24 34:6,13,13           | 13:1 39:22,23,24           | 65:7                      | <b>00</b> 49:10 59:14       | <b>2009</b> 39:8 40:24    |
| 34:22 35:3 42:2            | 64:12 65:15,22             | <b>wife</b> 65:19         | 64:24                       | 58:23 71:4 73:14          |
| 45:25 46:3 47:17           | 72:2                       | <b>wins</b> 66:24         | <b>01</b> 48:17,23 49:4     | 73:16                     |
| 47:20 48:18 49:20          | <b>wants</b> 45:3          | <b>wipes</b> 54:21        | 59:17,24 60:2               | <b>2010</b> 1:15 2:7 4:1  |
| 66:8,17,22 67:1,1          | <b>warrant</b> 3:16 14:20  | <b>wit</b> 76:1           | <b>02</b> 33:2              | 33:19,21 71:12            |
| 67:2,11,12,15,16           | 14:23 15:4,5 18:4          | <b>witness</b> 3:3 29:18  | <b>03/20/08</b> 22:14       | 76:15 77:4                |
| 68:21 70:1 71:18           | 18:22 19:13,22             | 29:25 57:17 67:7          | <b>05</b> 22:12 62:11       | <b>2013</b> 76:5          |
| 71:23                      | 33:7 35:12                 | 69:4 74:17,23,24          | <b>06</b> 62:11             | <b>21</b> 3:13            |
| <b>vacates</b> 54:20       | <b>Warwick</b> 2:11        | <b>witnesses</b> 8:23     | <b>08</b> 23:9 31:25 62:11  | <b>22</b> 19:25           |
| <b>vacating</b> 8:21       | <b>wasn't</b> 33:14,24     | <b>Woods</b> 2:8          |                             | <b>23219</b> 2:21         |
| 56:24 66:9,19              | 48:18,18,19,20             | <b>word</b> 50:17,20,22   | <b>1</b>                    | <b>23606</b> 2:12         |
| <b>various</b> 6:15 17:3   | 58:5 65:18 73:15           | 73:1                      | <b>1</b> 3:12 17:17,19      | <b>25</b> 12:4            |
| 42:7                       | 73:16                      | <b>words</b> 23:12 27:14  | 18:17 21:8 31:24            | <b>26</b> 3:14            |
| <b>vend</b> 69:24          | <b>way</b> 13:15 19:1      | 41:12 55:9 67:14          | 32:2,3 33:2,8               | <b>29th</b> 23:9 61:16,17 |
| <b>vendor</b> 36:2,6 37:3  | 30:11 34:9,9,10            | <b>work</b> 5:2,10 12:11  | 35:12 61:6                  |                           |
| <b>vendors</b> 11:4 36:1   | 36:14 41:12 43:21          | 12:13 50:11 63:7          | <b>1/29</b> 22:12           | <b>3</b>                  |
| 36:7 39:2,10               | 44:3 49:12,16              | 65:22                     | <b>10</b> 45:8              | <b>3</b> 3:14 26:18,20    |
| 46:15 49:24 51:3           | 50:1 61:23 62:22           | <b>worked</b> 6:4 37:17   | <b>10:00</b> 1:16 2:7 4:1   | 28:1 29:4 34:25           |
| 51:5 52:11,22,23           | 62:24 64:19,22             | <b>working</b> 18:18      | <b>100</b> 2:11             | 34:25 42:4 72:4           |
| 53:5,5 56:16               | 65:7 69:6,9,11             | <b>worth</b> 38:21        | <b>11:44</b> 1:16 75:1      | <b>3/20/08</b> 20:6       |
|                            | 71:12 73:9                 |                           |                             | <b>3/20/2008</b> 20:10    |

**3:10cv107** 1:7**30** 2:5 45:8 76:5**30309** 2:17**32** 3:15**33526** 1:24**35** 6:5

---

**4**

---

**4** 3:5,15 32:17,21

33:9 35:6 55:15

70:21 71:2,14

---

**5**

---

**5** 3:16 51:13,15**51** 3:16**54** 3:6

---

**6**

---

**6** 1:15 2:7 4:1 77:4

---

**7**

---

**7/10** 29:9**70** 3:5

---

**8**

---

**8** 71:8**8th** 76:14**80s** 6:6**84** 6:21 7:13**85** 6:8,21 7:13

---

**9**

---

**9** 71:8**9.99** 19:25**900** 2:20**901** 2:8**94** 56:12**95** 7:10